

# SENATE—Monday, August 31, 1998

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

## PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear Father, You alone are the Sovereign of our beloved Nation. In You we place our trust. You are the Source of our blessings, the Author of our liberty, the Guide for our future. Thank You for this sacred Chamber in which the women and men of the Senate seek to know and do Your will. Fill it with Your holy presence and the minds of the Senators with Your wisdom. You have promised in Scripture to heal our land if we humble ourselves, confess our dependence on You, and earnestly seek a renewed relationship with You. We claim this promise in this troubled time in our history. Grant the Senators a special measure of profound inner peace so that they may be peacemakers during times of tension and conflict. We put You and Your righteousness first, above anything, with the assurance that You will give us exactly what we need in each hour.

Father, we thank You that the Senate is a family. As such, we join with Senator KENT CONRAD and his staff in grief over the untimely death of Chief of Staff Kent Hall. Be with Kent's wife, Michelle, and their children, Caiti and Austin, in this time of need. Through our Lord and Savior. Amen.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you, Mr. President.

## SCHEDULE

Mr. LOTT. Mr. President, it is good to see you again, looking in good form. I welcome back all our Members and staff. I hope everyone had a peaceful and restful August recess.

Now we will begin the final stretch of the legislative session of the 105th Congress, as we work to complete action on appropriations bills and a number of other important pieces of legislation.

I think our goal should continue to be to keep our commitment to the budget agreement of last year, stick to the caps we agreed to, preserve the surplus, and see what we can do to return taxes to the people who have worked and earned those taxes.

We have a number of other issues, obviously, that are very important—agri-

culture issues, education, bankruptcy reform. So we have a lot of work to do—missile defense, the defense of our country. I am very concerned, as I have said in writing to the President and my communications to the Pentagon. I am very worried that we are seeing a deterioration of the morale and the readiness of our military. Of course, there are many foreign policy issues that we will need to address—and all of this in only about 5 weeks or so.

As a part of that, of course, this week we will take up the foreign operations appropriations bill. We expect to be on that issue Tuesday and Wednesday. We would like to finish it up Wednesday night if at all possible. We will have to count on the Members to work with us in trying to get identification of amendments that will be offered.

I hope Senators will reduce the number of amendments that they are offering on these appropriations bills. In July, it seemed as if every appropriations bill had 100 amendments. It was difficult, on both sides of the aisle, to work through all those amendments. I hope we will have a limited number of amendments and can complete that work.

For today, we will be in a period of morning business until 1 p.m. Following that, we will turn to the consideration of any legislative or Executive Calendar items that can be cleared for action.

As a reminder to Members, there will be no rollcall votes today, but throughout the August recess I continued to hear from Senators, saying, "How about it, are we really going to work that first week in September?" The answer is absolutely yes. We are going to be working seriously Tuesday, Wednesday, Thursday and Friday. We will begin by having our first vote at 9:30 a.m. on Tuesday, on the adoption of the conference report to accompany the military construction appropriations bill. We expect Tuesday afternoon or Tuesday night, perhaps Wednesday morning, to have a vote on the low level waste disposal issue. And we expect votes on amendments with regard to the foreign operations appropriations bill. We could have votes on cloture or clotures before the week is over, and we could, of course, have votes if they are called for with regard to Executive Calendar items.

I want to assure Senators, not only will we be having votes; I am going to make sure we have votes, probably more than normal, just to bring the point home clearly that Senator DASCHLE and I have kept our word to Senators this year. We told Senators in

January this is when we will be in, having votes, and this is when we will be out. So far we have kept our word to the day on every one of those, both when we would be in and when we would be out.

So this is going to be a busy week. I know it takes a little time to get up and running again after you have been gone for a few days or a few weeks, but it is important that we make progress this week. Of course, next week we will not be in session on Monday because that is Labor Day.

I believe that is all I would have to say at this time, Mr. President. I look forward to meeting with leadership on both sides of the aisle this afternoon or tomorrow, and I will be talking to Senators about the need to be here and debate amendments and to have legislation prepared to be brought up for them. I do want to say that I expect to file a cloture motion on missile defense sometime soon, and I do expect to file a cloture motion, probably on Friday, with regard to bankruptcy reform.

So those are two issues that will at least begin to be considered this week, even though we may not be able to complete them until next week.

I yield the floor. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER (Mr. HAGEL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## A TRIBUTE TO KENT HALL

Mr. CONRAD. Mr. President, my Senate family suffered a tragic loss Friday night. My Chief of Staff, Kent Hall, passed away suddenly and unexpectedly. I have lost a dear friend and a trusted adviser. North Dakota has lost a strong and able advocate.

Kent Hall worked for me my entire tenure in the U.S. Senate. I can still remember my job interview with him in 1987. It took place in my makeshift office in the Hart Senate Office Building. I had a jelly doughnut sitting on my desk, and Kent commented to me as we began the interview that if I ate a doughnut every day I would gain 25 pounds in a year.

Along with his terrific sense of humor and his assurance, Kent brought with him a remarkable ability to analyze events. He was trained as an economist and he was always calm, even in the most difficult of circumstances.

Kent Hall drafted the first speech that I ever gave in the U.S. Senate. It was entitled "For North Dakota's Future and America's Future." It was about the policies that would be necessary to stabilize the commodity-driven income of a State like North Dakota.

Although Kent began in my office as my chief agricultural aide, he was later promoted to Legislative Director and then to Chief of Staff. Throughout his twelve years with me, he always gave a thorough and complete analysis to whatever problem was before us.

Kent was interested in issues and he was interested in improving conditions for people. That is what motivated him, that is what drove him. He was especially interested in farm families because he had grown up on a farm in Iowa and he had relatives who were still on the farm, so he had a special understanding of their needs. He had special expertise in agricultural economics.

I can remember very well Kent Hall working all night, during the drought of 1988, to devise a disaster assistance formula that would be most favorable to North Dakota. Kent was a perfectionist, and he was ready to do whatever it took to get things right. He was so committed that he was willing to stay up all night to make sure that what we were doing would get the job done. That was Kent Hall.

I remember him staying weekends and holidays during the flood disasters of last year. In fact, during that entire year I think he took one day off. I remember him working this year as the agricultural crisis spread across our State, working unceasingly to help our farmers.

More than that, though, Kent had a special way about him. He brought a calmness to an office. He brought a calmness to a situation. He had a twinkle in his eye because, as he always liked to remind us, he was an Irishman. So today he would want us to think about the good things and to celebrate his life.

This morning we had a chance, with Reverend Ogilvie, to share with the members of my staff and his widow the life that Kent Hall lived. He lived life fully, he loved life, and, most of all, he loved his family. He leaves behind two young children. He leaves behind a wonderful wife.

Even his marriage was not uneventful. He married Michele Reilly, who works for Senator HARKIN, in March of 1993. I don't think anybody will forget that day. It was the worst snowstorm in 20 years. It shut down the entire city, but Kent Hall was undeterred. No snowstorm could stop Kent, and that wedding went on. Many friends celebrated it.

Their wedding, in fact, occurred very close to St. Patrick's Day, which was almost like a holy day to Kent Hall. I

still have staff who remember the St. Patrick's Day parties at his home. There was always green beer, and lots of it, and everyone was welcome.

The births of Kent and Reilly's two children, Caiti and Austin, were the highlights of his life. He talked about them all the time. My staff and I always knew when they had said their first word, taken their first step, or even if they just kept Kent awake during the night.

Those of us who knew and loved Kent Hall will miss him terribly. Our thoughts and prayers are with his wife and children today and in the days to come.

I yield the floor.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I join my colleague and friend, Senator CONRAD, in paying tribute to a friend of mine—for over 25 years now, a fellow public servant, a fellow Iowan. It was perhaps one of the saddest phone calls I ever received in my life when I was notified Saturday morning that Kent Hall had died Friday night. He was a young man in the prime of his life. It just was a terrible shock.

There are no words to convey to his family and his many friends the shock and the disbelief and the sadness that I feel about this great loss.

Kent Hall, as I said, was a friend of mine for 25 years. Kent first came to work on my first congressional campaign in 1972. Both of us had been in the military. He had served in Italy. We both felt it was vitally important that we bring the Vietnam war to a swift conclusion. Too many of our friends had lost their lives in Vietnam. We saw the futility of it. So much of our campaign in 1972 was directed at the war. That is why Kent was one of my principal campaign workers that year.

He was a student at Iowa State University then. We did not win that election, but I did fairly well. We stayed at it, and I ran again in 1974. By then, Kent was in graduate school at Iowa State and then became a full-time campaign worker on my 1974 campaign, and we won that election.

He was just a tremendously hard worker. He was very good at getting people involved, especially a lot of the students at Iowa State. Kent even got some of the local high school students involved in the campaign. He inspired them, he got them involved, and he really represented the best of what it means to be in politics. There was

never anything underhanded or dirty about Kent. He was just out there knocking on doors, getting the information out, and registering voters. Kent was very, very good at that. He was one of my best campaign workers.

After that election, Kent joined my staff in Ames, IA, where Iowa University is located. He and I also shared the fact that we both came from very small towns. He came from Lamont, IA, in Buchanan County. I always kidded him that he was from a big town. His town, I think, had about 500 people and one stop light. My town of Cumming had about 150.

After I was elected in 1974, I remember talking with Kent about the fact that we were from small towns and no politician had ever visited our towns. A Congressman or a Senator was somebody who might go to Des Moines or Cedar Rapids but never came to small towns. We hit upon this idea of taking our office out to the small towns. I believe that Kent Hall was the first person to do that in Iowa.

As a congressional representative, he would go out and have open office hours in towns of 100 people, 150 people, 200 people. He would go to the post office, or if there wasn't a post office, the American Legion club, maybe a church basement, and have office hours in all these small towns around the district so that people who couldn't drive all the way to the district office would come and see him. It was a great outreach program. He initiated that, he started that in Iowa.

Kent also did my community development work, rural housing, rural water programs. He initiated some good programs for people living in small towns and communities at that time. Again, it was because Kent felt very strongly that Government—whatever else Government's functions are constitutionally—ought to be helping make life better for people who live in rural areas and small towns who do not have the access to the resources of those who may live in our bigger cities. He was always greatly interested in extending Government out to people who live in rural areas.

After his great work in Ames, Kent then came to Washington and received his doctorate degree in economics at George Washington University. He was a great economic thinker. During the 1980s, Kent was on the House Small Business Committee staff, and I had since come to the Senate in 1985. During some of the tough debates—the 1985 farm bill debate, the 1990 farm bill, and in between we had a credit bill we had to work on—I can always remember asking for Kent Hall's advice on a farm bill and especially on farm economics and agricultural economics. He really had an understanding of the economics of rural America and agriculture and small businesses and small towns that I found absolutely invaluable.



After that, then, of course, he joined the staff of Senator CONRAD of North Dakota. I listened to Senator CONRAD speak very eloquently about his association with Kent Hall.

Several years ago, Kent began dating a woman in my office from Algona, in northern Iowa, by the name of Michelle Reilly. They got married in 1993 and had two small kids—Austin, who is now about 2, and Caite, who is 4. So his death leaves two small kids.

I want it to be known that Kent Hall was a wonderful human being, a personal friend, someone I admired and someone I regularly consulted on a lot of different matters—mainly agriculture and agricultural economics. Through it all, Kent remained a fine man.

A lot of times people live and then they are gone and you wonder what it all meant, especially when someone dies as young and as abruptly as Kent.

I am reminded of what John Kennedy once said when he was President. He was asked how he would like to be remembered after his passing on, whenever that would be. He responded with something I have never forgotten. He said "the highest"—I may not have the words correct, but basically he said:

The highest honor that can be given to a person is just to be remembered as a good and decent human being.

If we use that as the highest tribute we can give to any person, that they are remembered as a good and decent human being, then that tribute certainly belongs to Kent Hall.

He meant a great deal to his country. He meant a great deal to all of his friends, a great deal to Michelle, his wife, and to his two children. He meant a great deal to this Congress and this Senate. But above all this—above it all—we will always remember Kent Hall as a good and decent human being.

To Michelle, Caiti and Austin, to his parents Kenneth and Evelyn, to his brothers and sister back in Iowa, to all his many friends, my wife and I and our family extend our deepest sympathies. And we will always remember Kent Hall for the kind and decent human being that he always was.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I would like to join this tribute to Kent Hall, following on the remarks offered by Senator HARKIN from Iowa and my colleague, Senator CONRAD from North Dakota.

I knew Kent Hall, who was Senator CONRAD's chief of staff, for 12 years in the time that he had served North Dakota and served with Senator CONRAD. I was shocked to learn Saturday morning that Kent had died Friday evening in his sleep.

I know how difficult it is for his family right now. I know how difficult it is

for Senator CONRAD and his staff, the extended family that worked with Kent Hall and served with him in the Senate.

We lead busy, fast-paced and challenging lives here. Kent Hall was a part of that. We, from time to time, I suppose, forget to tell people what an integral role people like Kent Hall play to make this system of ours work. Kent Hall was smart, was tough, and yet had a great sense of humor. He was a quick study. He worked very hard. He always had a twinkle in his eye. He was quite an extraordinary man.

He always, to me, had a certain dignity about him as well. When Kent was around in a meeting or with a group of people, he was always the one who had that certain sense of dignity. Yes, he had the sense of humor, but he had a sense of dignity that was unusual as well.

The last time I talked to Kent, I guess it was a couple of weeks ago before the August recess, and what we talked about then was what he talked about a lot—it was his children. We talked about our children. He leaves behind two young children. And we talked about them.

I know how difficult this must be now for his widow and his children. Kent Hall was a young man with a young family. He had an enormous commitment to that family. He also had a commitment to our State and to our country. That commitment was a commitment that was manifested every day in every way in his public service to all of us.

So today I express my sorrow and my sympathy for the passing of Kent Hall.

Emily Dickinson wrote a poem called "Because I could not stop for Death." I want to read two verses of it.

Because I could not stop for Death,  
He kindly stopped for me;  
The carriage held but just ourselves  
And Immortality.

We slowly drove, he knew no haste,  
And I had put away  
My labor, and my leisure too,  
For his civility.

It is very, very hard, for those of us who have seen too many at too young an age leave us, to understand any civility in a death like the death of Kent Hall. But I hope that his contributions, as a family man and as a public servant, will be known to his family and his children by these remarks and by other words that will be spoken in the coming days.

His children, I believe, are age 4 and 2. And I hope they will someday understand that their daddy was a very special man. Their father contributed to their family and their country in a very important way. And those of us who were privileged to call him a friend will miss him dearly.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I ask that I may proceed as in morning business.

The PRESIDING OFFICER. The Senator may proceed.

#### A BIENNIAL BUDGET FOR THE FEDERAL GOVERNMENT

Mr. THOMAS. Mr. President, all of us have been various places during the recess. I have been back in Wyoming listening to people and to a number of things that people are concerned about. We are back now, basically, to spend this month, I suppose, almost totally immersed in the appropriations process, which we must do. I have been interested for some time in making some changes in that process. It seems to me now to be appropriate, perhaps, while we are into it, to talk about the possibility of changing a bit.

What are some of the things we are going to have confronting us now? First of all, we have talked about appropriations, in most years, for about 40 percent of the time. About 40 percent of the time the Senate and House spends in session is spent on appropriations. During this last period of time, we will be confronted with trying to move quickly to complete that work, which has to be completed, of course, for the Government to go on. And that is OK. But as part of that, we will see a great deal of nongermane amendments being put onto appropriations bills, which really have nothing to do with appropriations. They are put on there partly because the year is nearly over, and if they are going to happen, they have to happen now.

Often it is easier to move an appropriations bill with an amendment than it is a freestanding bill. We will be confronted again, I suspect, by the administration threatening, where they don't agree with the Congress on the payments in certain areas and appropriations for certain areas, that they will close down the Government and blame the Congress. We have to guard against that. It is not the intention of the Congress to close down the Government—nor was it several years ago. But that is the pressure that is used. So what could we do to change that?

It seems to me that we ought to consider going into a biennial budget process—a process in which every 2 years we would spend our time on the budget. We would budget for a biennial time and have the remainder of the time to do the other business of the Congress. I am persuaded that the Congress spends too much time on budget issues.

One of the really important things, after the budget is completed, is for the Congress to ensure that those programs that have been funded and the money that has been spent is spent as efficiently as possible, spent in the way in which the appropriation was designed and for the purpose for which it was designed. That doesn't always happen. So oversight, it seems to me, is certainly one of the more important things Congress has to do. We have relatively little time to do that.

We don't always complete our work. Since 1997, we have had 60 continuing resolutions. That means that we didn't complete the appropriations and that we simply continued what had been done in the past. As I mentioned before, we have devoted roughly 40 percent of our time to budget resolutions, reconciliation and appropriations. We have too many repetitive votes on the same issues. There are lots of things for the Congress to do and lots of things that the Congress has a responsibility to do. Many of them, I think, are neglected because we spend too much time each year on appropriations.

There is not enough time for vigorous oversight. We continue to let inefficient and inappropriate programs continue. One of the other things that brings it to mind—and I am sure the Presiding Officer had the same experience at home—is when you hear about all these programs being operated in quite a different fashion than was the concept of the legislation, and that is part of our responsibility in Congress.

In the last Congress, I introduced a bill that creates a 2-year authorization for appropriations and budget resolutions—partly, I suppose, because of my experience in the Wyoming legislature in which we operated with biennial sessions. Most States operate with biennial appropriations, as a matter of fact. One of the arguments against it, however, is that some of the States are going to annual appropriations. I will tell you why. They are going to annual appropriations to be consistent with the Federal Government, and there is so much Federal funding, it is difficult. If the Federal Government would do it, I think you would find these States going back to it, and it would eliminate some of the redundancy in budgeting and help to reduce the size of Government, and I think it would help put a bridle on unchecked Government spending. It would encourage agencies and executive branch agencies to plan for longer in the future. And I think it is difficult for an agency to have to plan one year at a time when they are doing longer term projects. They can be useful for them as well. They could help Government do it with Federal grantees to do it.

The author of the bill, Senator DOMENICI, has introduced bipartisan legislation with the bipartisan support

of 35 of our colleagues. It passed the Budget Committee and the Governmental Affairs Committee, and is pending on the Senate calendar.

Bipartisan support has been expressed by Senator LOTT, Senator DASCHLE, leaders of both sides of the Senate, and Vice President GORE and the OMB Director have all expressed support for biannual budgets. A limited time has elapsed. I suspect it is unlikely that it will pass, which is part of what I am talking about. Now we are jammed in here for 4 weeks. The leader spoke this morning about how difficult it will be to do all of the things that have to be done. As I recall, the budget is supposed to have been pretty well done by now. It is supposed to move along on a schedule. We, of course, seldom, if ever, live by that schedule. So we are in our annual sprint to avoid a Government shutdown.

I urge my colleagues to consider some reform of legislation that would change what we do. I think there is great merit in doing it. It is not a new idea. Certainly it is not a cure-all of all Federal Government ills. But it is a process that perhaps would be helpful.

Processes are hard to change in this institution. And I respect that. There should be a reason to change things. I am a little discouraged when you talk about making things work a little better when the response often is, "Well, we have always done it that way." That is not a very good response.

I think we could save time. I think we could save money. I think we could manage better. I think we could allow ourselves to do the things that we need to do.

I suspect, frankly, that one of the reasons there is opposition is that those people and the appropriators have a little more power to exert each year rather than every other year by being on this committee and helping to decide where money is spent. That is one of the realisms of it. On the other hand, there are a lot more people who are not on the appropriations committee than there are on the committee. So that should not keep us from doing it.

This, as I said, would not be a panacea but certainly would be a step in the right direction of what we seem to constantly talk about, and I hope constantly seek; that is, a more efficient operation, a more effective operation by spending less taxpayers' money. It seems to me that this is one of the ways to do that.

I hope we consider it. If we don't get it done this time, we ought to bring it up early in the next session. We ought to bring it before both the House and the Senate and streamline the way we appropriate the funds for the programs in Congress.

Mr. President, I thank you. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Mr. KYL. Mr. President, Thank you.

#### U.S. POLICY TOWARD IRAQ

Mr. KYL. Mr. President, I thought I might take just a moment to speak to the issue of the policy of the United States of America toward Iraq and Saddam Hussein.

In the month or so that the Senate has been out of session, there has been a significant series of developments which cause me considerable concern about the direction of the administration's policy—or not policies, as the case may be—and the requirements of the Senate to act in accordance.

The President will recall that about 7 years ago the entire country was fixed on the problem of Saddam Hussein's invasion of Kuwait and strongly supported the action of the President—at that time President Bush—to first engage in what was called Desert Shield and then later Desert Storm; the militarily significant rollback of the Iraqi forces in about 100 hours. I visited Saudi Arabia as that buildup of American forces was occurring. It was unprecedented really since the time of the Vietnam war. The success of the operation was one of the great successes of U.S. military history.

I remember the parades all across America when our troops returned home. We were very proud of what we had done. We had turned back a difficult dictator who had engaged in unspeakable horrors against people in Kuwait, against the environment, and really against the rule of international law.

We had disengaged from Iraq because the President had succeeded through the efforts of General Norman Schwarzkopf and the Secretary of Defense—at the time Richard Cheney—and Secretary of State Jim Baker to force Saddam Hussein into an agreement that would forever bar him from developing weapons of mass destruction, or the means to deliver them. That was an agreement that Saddam Hussein willingly entered into, although one could say it wasn't too willingly because we had about 500,000 troops in his country at the time. But the deal was we will stop now if you will sign this agreement; otherwise we will have to continue our military operation. Saddam Hussein wisely decided to sign an agreement with the United States. That agreement was to allow U.N. inspectors to ensure that Iraq was not developing weapons of mass destruction, and that it would destroy the stocks that it had developed.



We know that for the first few years world attention was focused on Saddam Hussein because of what he had done. The United Nations was focused on supporting and enforcing those inspections, and the United States on a couple of occasions either took or threatened to take military action to force Saddam Hussein to comply with his part of the bargain. America was united in that position. Now, the Bush administration policy at the time was called a policy of containment. The effort was not to get Saddam Hussein out of power *per se* but, rather, to prevent him from doing any damage to neighbors. But a concomitant to that policy was to ensure that he did not have the capability of causing his neighbors problems by virtue of the U.N. inspections.

Slowly, over time, after the Clinton administration took office, that policy evolved. Now, they continued to call it containment, but a critical component of the policy was missing—the policy that denied Saddam Hussein the ability to conduct military operations against his neighbors—because over time the administration became less and less willing to ensure that the inspection regime called for under the agreement was actually carried out. UNSCOM is the name by which we know this, the acronym of the United Nations inspection regime. And the UNSCOM inspections eventually became very big news because Saddam Hussein saw that from time to time he could thwart the inspectors, prevent them from doing their job, and cause the United States to have to build up military forces in the region. And about the time we would spend a lot of money and effort and time to get these military forces in place, then he would agree to strike some kind of a deal. And as soon as we then brought the force level back down again, he would break the deal, and we would have to do the same thing all over again. He was jerking our chain.

This administration, however, failed to develop a strategy to deal with that. Many of us in the Senate, through meetings with members of the administration, through correspondence, and through public hearings and statements, have tried to get the administration to focus on a long-term strategy that would have as its ultimate goal not containing Saddam Hussein but eliminating Saddam Hussein. No one believes that this is easy. It is a long-term project, and it takes a real commitment. This administration has not been willing to make that commitment.

In February of last year, the administration again built up forces because again Saddam Hussein had refused to allow the inspectors to do their job under the agreement that he had made. Many of us in the Senate were concerned that if the administration simply lobbed a few cruise missiles into

certain Iraqi facilities, it would be antithetical to our long-term goal. It would not do anything to ensure that the inspectors could do their job. It would probably kill a lot of innocent people. It would turn world opinion against the United States. And we need the support of our allies, support that we used to have when the Bush administration worked to get that support. But most importantly, military action would not be in furtherance of any particular strategic policy. It would waste money, it would not achieve anything, and in the end we would still have an empty policy.

The administration continued to insist that our policy was one of containment. But containment is no policy if, in fact, you are at the same time allowing your opponent—in this case, Iraq—to build up military forces so that when they want to strike, they have the capability of doing so. And because we don't have forces in the area sufficient to stop aggression, again, it would have to be a reaction on the part of the free world in response to aggression by Saddam Hussein rather than preventive action to begin with.

And so as time went on, the Iraqis continued to snub their nose at the United Nations inspectors, probably building up the capability to produce weapons of mass destruction and also to develop the missiles, or produce the missiles to deliver those weapons.

The inspectors then have reported back to us. Richard Butler, who heads UNSCOM right now, and others have said that if we stop those inspections, it is only a matter of time before Iraq can develop the capability of producing these missiles and either has now or could quickly develop the chemical and biological weapons that would be necessary to threaten or cause harm to their neighbors. So the inspections are a key component of any strategy, including a strategy of containment. And it does no good to have a strategy of containment if you don't enforce the inspection regime called upon by the agreement with Saddam Hussein 7 years ago.

Recently, Scott Ritter, a well known inspector on the UNSCOM team, has resigned in protest, and the reason, Mr. President, is because he has said that U.S. officials, including the Secretary of State, Madeleine Albright, have thwarted the inspections by specifically putting conditions on U.S. involvement with the inspectors and by conditioning the time, the place, and manner of inspections.

Now, this is all wrapped up in diplomatic speak. The administration has flatly denied this is true. The administration, frankly, in this respect is not telling the truth, Mr. President. If Scott Ritter is to be believed, restrictions have been placed upon the American involvement in the inspections of these facilities. And it has been done

because the administration doesn't want to have to follow up on what the inspections will demonstrate; namely, that action needs to be taken against Saddam Hussein.

Or, failing that, if Saddam Hussein says, "I am not going to allow you to inspect certain facilities," the administration will then be forced with the option of either doing nothing or of having to take some kind of action. And since the administration is unwilling, apparently, to take any kind of action, it therefore has to select the option of doing nothing. But it obviously cannot be perceived as doing nothing, so instead it sweeps the problem under the rug, says, "We don't see any problem with Saddam Hussein." And of course you don't see any problem if you have your eyes closed, if you are not engaging in any inspections, or you are not allowing your inspectors to engage in the key inspections.

Frankly, Mr. President, the administration's duplicity in this regard is something that the Congress should not permit and the American people need to be aware of. We ought to have the truth from the administration. Have we changed our policy with respect to Iraq? Have we decided not to enforce the agreement anymore? And what are the implications of this policy?

Scott Ritter has laid forth his allegations. The administration has responded simply with denials. And yet there are enough sources who confirm Scott Ritter's allegations to cause me to believe that the administration's denials are false, that in fact Secretary of State Albright has, in one way or another, discouraged the American inspectors from inspecting key facilities that the inspectors believe need to be inspected because of what would be revealed.

So, Mr. President, here is where we are now. After the agreement that Saddam Hussein entered into, in which he agreed to allow inspections to ensure that he did not develop the capability to pose a threat to his neighbors, part of the containment policy—as a result of that agreement, the United States had enforced for a period of years the inspection regime through UNSCOM—we are now no longer doing that in practice. It is now a charade.

The reason it is a charade is because we don't want to face the consequences of either, A, being denied the ability to engage in the inspections or, B, finding something we don't want to find, because in either event we would have to do something, and this administration is frozen into inaction in dealing with Saddam Hussein. If they can lob a few cruise missiles at a problem, as they did against the terrorist Osama bin Laden 10, 12 days ago, then they can say they have taken action.

But that is not enough in dealing with Saddam Hussein. He is more clever. He knows that we lack patience. He

knows that if he defies us long enough, eventually our allies will desert us because, A, we don't have the capability anymore of keeping the coalition together and, B, the American people will get tired of the issue and no longer be willing to support the kind of military action or long-term action that would be required to oust Saddam Hussein.

The result of this is that the United States has, in fact, changed its policy with respect to Iraq without telling either the Congress or the American people. It apparently no longer intends to enforce the agreement that George Bush and his administration insisted Saddam Hussein make.

The implications for peace in the world are significant, because when Saddam Hussein has been able to build up his weapons of mass destruction to the level where he can cause significant damage, he will either do so or he will threaten to do so. At that point, his capability will cause a lot of countries in the world, especially those close neighbors who fear that kind of activity on his part, to back off of any opposition to him. His neighbors are relatively unprotected and, not believing the United States is a reliable ally to protect them, they will accede to his demands. Then, rather than having one or two countries in the Middle East that we have to contend with, we will have one or two belligerents and a lot of neutral parties who no longer cooperate with us in restricting his activities and his aggression and his terrorism.

We need these countries in the fight against terrorism. I am very concerned that by backing off of the enforcement of the agreement against Saddam Hussein we will have permitted terrorism to further its goals in the Middle East and around the world, especially against Americans; and will have advanced the day when Iraq decides to engage in yet another form of aggression.

I think it is a sad day when not only do we see U.S. foreign policy in tatters, in shambles, with respect to a country that we know poses a threat to us, but an administration which is unwilling to come clean on its policy. I know these are harsh words, but the fact of the matter is the administration has not leveled with the American people on this problem. I believe that Scott Ritter is essentially correct in his assessment of the situation, especially the administration's decision to pull the plug on the inspections in any meaningful way. As a result, I think this matter deserves airing in the Senate, in the House, and before the American people. I expect, either as chairman of the Judiciary Committee's Subcommittee on Terrorism or as a member of the Intelligence Committee, I will ask the administration to explain its position. I think the Senate will probably have to take some action be-

fore we adjourn in October to ensure that this country has a strong policy with respect to one of the rogue nations of the world.

In conclusion, when discussing this in my home State of Arizona this last month, one of my friends said, "Isn't it the obligation of the President to conduct the foreign policy and shouldn't the Congress leave that to the President?" The answer is, as I said, as a general proposition, yes. But when an administration is frozen into inaction for one reason or another, whether the President is being distracted by other matters or whether it is simply too hard a problem for the administration to want to deal with, then the Senate, in its historic role as a partner in the administration of foreign affairs, needs to insert itself into the equation. To the extent we need to influence the development and execution of foreign policy in this area, the U.S. Senate will have to be involved.

I would rather the administration develop a policy and a strategy and execute it with the cooperation of the Senate, but if the administration is unwilling to do that, then the Senate will have to get involved. It is not a happy day to have to talk about this kind of thing in this way. We would much rather cooperate with the administration. I hold myself out to be willing to do that at any time and any place. But the administration has to come clean with the American people on what its strategy really is in dealing with Iraq. Until that statement of strategy has been laid out in an honest way, the Senate is going to have to involve itself in this issue.

I hope and pray we will be able to maintain peace in the Middle East and that we will be able to contain Saddam Hussein, but it is going to require commitment and will, not just of the American people, but of the American Government. I am hoping in the next few weeks we can help develop the policy so, between the administration and the Congress and the American people, we will jointly, together, unify and be able to confront this threat to peace in the world.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

Mr. DASCHLE. Madam President, I welcome back the distinguished Presiding Officer and our staff on the Senate floor and hope that you all had as enjoyable an August recess as I did.

I want to talk about three things this afternoon. The first is to express how saddened I am with the loss of a very

key member of the staff of Senator KENT CONRAD and somebody whom I knew and respected quite well.

Secondly, I would like to talk about the agricultural situation in my State of South Dakota that I spent a good deal of time talking about as I was home.

And then obviously, thirdly, I would like to discuss the agenda at hand and what my expectations and hopes are for the remaining 6 weeks of this session.

#### TRIBUTE TO KENT HALL

Mr. DASCHLE. Madam President, just before Congress left for the August recess, we suffered a staggering loss in our "Capitol Hill family"—the deaths of Detective John Gibson and Officer J.J. Chestnut.

Today, as we returned to our work here, we learned that we have suffered another loss in our family.

This past Saturday morning, Kent Hall died in his sleep. Kent was chief of staff for my colleague and friend, Senator KENT CONRAD of North Dakota.

Outside of Congress, his beloved family, and his many friends, it's likely that few Americans ever heard Kent's name. But millions of Americans benefited from his years of hard and conscientious work in this body.

Kent Hall was a rare man—a Renaissance man. He held a doctorate in economics and philosophy. He loved ideas. But he also loved the nitty-gritty of politics, and policy.

And he loved this institution, this Senate. He was honored to work here. And we were honored to have him.

He first came to the Hill to work for TOM HARKIN. He joined Senator CONRAD's staff as agriculture advisor in 1987, the year Senator CONRAD came to the Senate. He later went on to serve as Senator CONRAD's legislative director and eventually as his chief of staff.

One of Kent's great passions was the federal budget. He believed America's budget should be balanced not only economically, but morally as well.

So he fought for budgets that would enable working families to share in these good economic times, budgets that would extend the benefits of this economy beyond Wall Street, to Main Street. He fought for budgets that would allow working parents to take their children to a doctor when they're sick, budgets that would enable parents to find good, affordable day care, budgets that would allow parents to send their children to good schools—and after that, to send them on to college.

Kent had a special place in his heart for people who live close to the land—farmers and ranchers and the people who grow up in the small towns of rural America.

He grew up in one of those towns: a little farm town in Iowa—population



about 600. And though he left that town long ago, he still kept it close to his heart.

Farmers and people in farm towns all over America have lost a good friend, and an extraordinary advocate. We are grateful for Kent's diligent work on: disaster relief and farm-crisis relief.

And we extend our deepest sympathy to Kent's wife, Michelle, who works for Senator HARKIN and to their two small children, 4-year-old Caitlin—"Caiti"—and 2-year-old Austin, both of whom he loved even more than he loved this place.

We also offer our condolences to Kent's father, Ken, and his mother, Evelyn; his brothers, Mel and Michael; his sister Cheri; and his many nieces and nephews. Our thoughts and prayers are with them, and with all the members of the Conrad and Harkin staffs, who are feeling this loss more deeply than probably any member of the "Capitol family."

Like Detective Gibson and Officer Chestnut, Kent Hall died too young. He was only 52 years old. But his legacy will live on—in his two little children and in the ideals he believed in so passionately, and fought for so hard, and helped transform into law.

We will miss him.

#### THE NATIONAL AGRICULTURE CRISIS

Mr. DASCHLE. Madam President, in July, less than a month and a half ago, the Senate voted unanimously on a resolution to declare there is a national crisis in agriculture, that we needed to take immediate action to address it.

Following the unanimous passage of that resolution, we passed several amendments to the agricultural appropriations bill designed to address the problem. We passed an amendment to require mandatory price reporting for livestock. We passed a second amendment offered by the distinguished Senator from South Dakota, Senator JOHNSON, requiring the labeling of imported meat. And we passed an amendment offered by the two hard-working Senators from North Dakota to require at least a \$500 million indemnity program for victims of multiple-year disasters.

Unfortunately, we failed to pass my amendment to lift the cap on marketing loans and extend their term by 6 months—which is probably the single most effective way to address the problem of low prices and lost income among grain farmers.

Since we considered those amendments, the farm crisis has deepened very seriously. Over the past 3 weeks, as I visited with farmers and ranchers and rural businesspeople from all over South Dakota, they told me the same story. Many of them simply will not survive the coming months unless circumstances change. Unless we can

bring about a better farm economy, a more stable price in most of the commodities now being grown, we will see an attrition in agriculture the likes of which we have not seen in over a decade.

Nick Nemec, a young farmer from Holabird, SD, who testified at a hearing on July 29 on the agricultural crisis, said that when prices go down, his family's everyday expenses go up proportionately. He said, "If the Consumer Price Index was up 40% in one year, there would be riots in the streets of cities all across America. Out in farm country, we just have farm auctions."

I heard that same sentiment over and over again when I was home these past few weeks. We have already seen too many auctions. Our farmers and ranchers are very concerned, frankly, about their survival.

So the circumstances, Madam President, as I report to the Senate this afternoon, are, unfortunately, in worse shape and more precarious than they were just a month and a half ago when these amendments were offered. We must find ways to address the current crisis in American agriculture.

So I put the Senate on notice this afternoon that we will again be offering our amendment to increase the loan rate, to establish some kind of a floor in agricultural grain prices, just as we have on minimum wage across this country now for generations. We need a minimum price, because if we do not have that, all of those stories and all of those concerns can only worsen. The farm auctions will become more frequent.

So I hope we can find, in as bipartisan a fashion as is humanly possible this close to an election, legislation we can all agree upon that will allow us to address the price more effectively, that will allow us to deal with the issues we began to confront in July.

We must pass and sign into law the mandatory price reporting legislation that passed in the Senate. We must pass and sign into law the labeling legislation that was passed in the Senate. We certainly must pass this indemnity legislation and sign that into law as quickly as we can.

What is missing is what will help the grain farmers. And unless we pass that minimum floor, that increase in the loan rate, there is nothing out there that can help the grain farmers to survive what is the worst disaster they have experienced in now more than 15 years.

So, Madam President, as we begin to consider what the agenda ought to be as we come back from a month in our States, I hope everyone understands and appreciates and empathizes with the circumstances confronting America's farmers. I hope that empathy will lead to a consensus about increasing the loan rate and providing the kinds of opportunities to farmers that they

failed to achieve when we debated this matter just over a month ago.

#### THE REMAINING SENATE AGENDA

Mr. DASCHLE. Madam President, we have 6 weeks remaining in the Congress. Those 6 weeks will define our efforts as a Congress. And this is the last matter that I wish to raise before our colleagues this afternoon—the agenda for those remaining 6 weeks.

Time is short. Distractions are many. Needless to say, we must focus on our priorities. Our success for the entire Congress will really depend on what we achieve in the next 6 weeks. It will depend on whether we are committed to accomplishing the people's business.

What is the people's business? I think everyone understands what it is. The people's business is the business that we have before us. Appropriations bills must be completed.

The Congress' first responsibility is to ensure stable Government operations. There must not be talk of a Government shutdown. I have heard some of our Republican leaders, especially on the other side, suggest that the President may shut the Government down.

Today is the last day in August. The budget resolution was due in April. So far, neither body has delivered a budget resolution. So I call upon the Republican leadership in the House and in the Senate to do what the law requires, to do what is so essential to restore confidence, to do what really is required to set the framework for the priorities and the commitments that we must make in these next 6 weeks. I call on the Republican leadership to pass a budget resolution.

Not one single appropriations bill has gone to the President. Republican poison pills appear throughout the appropriations bills. So if there is a danger of a shutdown, we all know where it originates. But it is incumbent upon all of us to keep the Government operating. It starts with the budget resolution. And it will be completed once we pass every one of those appropriations bills, which we must do.

After we complete that task, we must turn our attention to managed care reform. The American people have said loudly and unequivocally that they want a comprehensible, enforceable Patients' Bill of Rights. They want to know that they can go to the nearest emergency room when they suffer a true health emergency. They want to know that they can see a specialist when they need one. They want to know that doctors—not HMO bureaucrats—will decide which treatments are medically necessary. They want to know that managed care organizations, like everyone else in the health care environment, can be held accountable for decisions that result in serious harm or death to patients.

What they do not want—what they do not want—is legislation that falls short on those or other key patient protections. They do not want legislation that claims to give them rights without providing them the mechanism necessary to enforce those rights.

There are those who suggest there is not enough time to debate a Patients' Bill of Rights. I disagree. There are those who would, for whatever reason, try to gag the Senate as we debate this important issue.

Let us eliminate the gag orders and the gag rules. Let us open up this important piece of legislation to a good, healthy debate. Democrats will be prepared to work 24 hours a day to assure that we can have that opportunity. But it is important we set it high on our agenda and our priority list as we complete our work in the 105th Congress. Other than the appropriations bills, there is nothing more important on our national agenda right now than that. The Republican bill, as everybody knows, is inadequate in many respects. We need to pass a bill that merits our support, that merits our signatures, that merits a broad-based, bipartisan commitment to real reform in managed care. We will have an opportunity to do that. And I must say that we will be offering this legislation with whatever determination may be required, and to whatever piece of legislation may be presented, in an effort to assure consideration of this legislation prior to the end of this Congress.

The third issue, beyond the budget and appropriations first, and managed care second, is campaign finance reform. In spite of the Republican leadership's opposition, the House has now passed an important campaign finance reform bill that many thought was impossible to pass just a few months ago. And so the Senate now has the opportunity—a rare opportunity—to enact meaningful reform this fall.

Madam President, we must seize the opportunity to stem the unrestricted flow of special interest money in Federal elections. There is no question that, given what the House has already done, attention will be focused on the U.S. Senate to see if we can live up to the expectations of the American people in this regard. I, frankly, cannot think of anything more important than to take up this legislation—the Shays-Meehan bill—and give it the kind of priority it deserves, to work in a bipartisan way to pass meaningful legislation within the next 6 weeks.

Again, I will put my colleagues on notice that this issue is of such import to us that we will offer it in amendment form, if necessary. I hope that isn't necessary. I hope we can get a good opportunity and agreement to bring it up, to debate it, because it is now here. It has already been debated and passed in the House. Let's do it in the U.S. Senate.

As I have often said, we can pass legislation the easy way or the hard way. I hope we will not be required to pass it the hard way. But Democrats will make every single effort that we have available to us to pass it—hard or easy. There are many other issues that we hope we can address in the short time that we have left.

We must not ignore education. We must recognize that school modernization is essential. As I traveled through South Dakota, it was remarkable the number of times modernization needs came to my attention, the number of times school board members, school board presidents, teachers, superintendents and principals said, "We hope you can pass legislation that will allow us to deal with our crumbling infrastructure." As we speak, young children are going back into unsafe school buildings, into environments that are not conducive to learning. School modernization must be addressed. I hope we can address it this year, this Congress. I hope we can address in this Congress this year the need for 100,000 additional teachers. So as children go back to school, as we consider all of the needs of our Nation, let us not forget the importance of the needs in education.

We must look at Social Security. We must begin to consider very carefully what options are available to us. We must stop any action, whether it is on a tax bill—which I understand will be brought to the Senate floor—or elsewhere, which might jeopardize Social Security. There are those who, for short-term gain—either political or economic—would argue that we have to tap the so-called surplus. We have made the case—and I think everybody understands it—that there is no surplus unless you use Social Security trust funds. I hope that both sides of the aisle will come to the same conclusion about the inadvisability of doing that this year—or any year.

We must look at juvenile crime. We certainly will have an opportunity to debate the minimum wage. The minimum wage is, without a doubt, one of the single most important actions we can take to improve the economic stability and viability of working families in many homes across our country. Madam President, those issues, too, must be examined and action taken before the end of this session.

As we come back after being away 1 month, we also recognize our international obligations. Just this afternoon, the President left for a very important summit with the President of Russia. We wish him well as he departs. We know how precarious circumstances now are in economic and political terms in Russia. We know how difficult this trip will be. I hope I speak for everybody in this Chamber in expressing our hope for great success, with the realization that all we can have are limited expectations, given those cir-

cumstances. We must not overlook the need for IMF funding, especially in light of the Russian crisis. We should redouble our efforts to fulfill our obligations to the International Monetary Fund. Terrorism, again, became a very important aspect of foreign policy in the last several weeks while we were gone. We must support efforts to stem it and support military efforts to respond to it.

Arms control issues in Iraq and North Korea must be addressed, and so the array of foreign policy challenges, not the least of which is an important question relating to funding in the United Nations, also must be high on our international priority list.

Madam President, obviously, to accomplish all of these important objectives, we will need to use these 6 weeks wisely, to stay focused on our Nation's needs and priorities. I hope that we can do that. Earlier today, the majority leader suggested that Democrats want to stall legislative business. Nothing could be farther from the truth. To the contrary, we are anxious, as we have been for months, to get on with the Nation's agenda, the agenda that I have outlined.

So speaking on behalf of my Democratic colleagues in the Senate, I welcome back both Republican and Democratic colleagues, and I urge them to work together to accomplish all of this and more. Time is short, the need is great, and our desire to achieve is high. I hope we can meet all of those expectations in the coming weeks.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HAGEL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE NATIONAL SALVAGE MOTOR VEHICLE CONSUMER PROTECTION ACT

Mr. LOTT. Madam President, today I would like to share a few details about S. 852, the National Salvage Motor Vehicle Consumer Protection Act. As you are well aware, Senator FORD and I co-authored and introduced S. 852 to protect the hundreds of thousands of American consumers who fall prey to unscrupulous auto rebuilders who conceal damage information from prospective car buyers. Equally important are the millions of us who share the roads with previously totaled automobiles and trucks sold as undamaged vehicles. This type of fraud is a national travesty that puts America's motorists and passengers in great peril. It can and must be stopped by this Congress.

S. 852 is the right vehicle for Congressional action. It is a balanced consumer protection bill that has received



significant support in the United States Senate. In fact, 54 of our colleagues from both sides of the aisle are cosponsors of S. 852. They recognize that the only individuals who stand to lose from this legislation are the chop shop owners and other charlatans who victimize our nation's drivers by selling them what is tantamount to "garbage on wheels."

The time has come to eliminate the practice of vehicle title laundering, a scam that costs American consumers and the auto industry more than \$4 billion each year. And, there are plenty of horror stories where individuals have been injured or killed in a wreck involving a structurally unsafe vehicle that was sold to the unsuspecting victims as undamaged. Every year more than one-half of the 2.5 million totaled vehicles are rebuilt and placed back on our nation's roads and highways. As a result of titling loopholes, crooks and con artists are able to sell many of these vehicles without disclosing the vehicles' damage histories. In some states, as many as seventy percent of all totaled vehicles are sold to unsuspecting buyers with "clean titles." Clearly, the status quo is not working. There are 2.5 million reasons why S. 852 is needed now.

While most states do require some type of disclosure on a vehicle's title to indicate its history, the fact remains that titling requirements vary from state to state. The existing hodgepodge of state laws allows unscrupulous rebuilders to profit from inconsistent state titling procedures. Even when a vehicle has been totaled, swindlers are able to "wash" the titles so they bear no indication of the vehicle's structural damage. This is achieved by simply retitling a severely damaged vehicle in another state so the car or truck's damage history will not appear on the vehicle's new title. S. 852 would help eliminate this type of fraud by requiring accurate information about a vehicle's damage history to be branded on a title, and subsequent titles, for the life of the vehicle.

Let me say it clearly. S. 852 is an anti-fraud, anti-criminal, pro-consumer piece of legislation. I would also like to point out that while S. 852 establishes a much needed uniform standard to protect America's motorists, it does not create a federal mandate. Instead, the bill establishes a uniform baseline. States are free, as they should be, to adopt more stringent disclosure requirements or to choose not to participate at all. Even so, I believe the minimum disclosure requirements contained in S. 852 will go a long way toward protecting used car buyers, automobile dealers, insurance companies and policy holders, consumer advocacy groups, salvage dealers, and everyone who travels on our nation's roads.

This legislation applies to seven model years of vehicles. Those vehicles

with a pre-accident value of more than \$7,500, regardless of their age, would also be subjected to the bill's branding requirements. I am also pleased to report that Senator GORTON and I recently reached an agreement with state attorneys general, after extensive discussion and negotiation, which authorizes states to cover any vehicle, regardless of age. Consequently, concerns raised about certain vehicles being excluded have been adequately addressed.

The bill contains a number of provisions designed to better inform consumers of a vehicle's damage history. Cars and trucks classified as "totaled" by insurance companies would be identified as "salvage" by state motor vehicle departments. Since totaled cars and trucks are the primary source of vehicles that rebuilders use in their operations, S. 852 provides assurance that virtually all of these vehicles titles will be "branded" with this important information. Participating states are also required to "carry forward" any brands carried on the title from other states. This approach will dramatically limit the ability of deceitful rebuilders to "wash" titles and defraud consumers. Vehicles not covered by S. 852 are those that are repaired under the bill's seventy-five percent damage threshold that are returned to their owners. And, of course, if a state desires, it may provide disclosure for buyers of these vehicles or for vehicles with that have sustained damage of less than seventy-five percent of its pre-accident damage. Thus a state like Minnesota, which requires disclosure when a vehicle has sustained damage to the extent of seventy percent of its pre-accident value, is free to adopt the uniform definitions and procedures in S. 852 and still maintain its seventy percent disclosure requirement. Again, this bill is about ensuring disclosure to consumers. It is not about limiting state actions.

S. 852 also ensures that if a salvage vehicle is rebuilt, it will undergo a theft inspection, as well as any state required safety inspection. A branded "rebuilt salvage vehicle" title must be obtained before the vehicle can be driven on the road and state inspector must affix a permanent sticker on the vehicle's door jamb, as well as a window sticker, specifying that it has been rebuilt, and whether it passed a safety inspection.

Since state law, not federal law, traditionally provides for causes of action and consumer remedies, S. 852 specifically provides that the bill would in no way affect actions or remedies available under state law. It has never been asserted that consumer remedies in any state are inadequate to protect their citizens. Instead, as a supplement to state law remedies, a provision was recently added to the bill that allows state attorneys general to sue on behalf of citizens who are victimized by

rebuilt salvage fraud and to recover monetary judgments for damages they may have suffered.

It is important to reiterate that S. 852 will not force states to weaken or otherwise cut back on their disclosure standards. Instead, the adoption of a minimum threshold will significantly enhance consumer protections and lead to safer roads and highways everywhere. Under S. 852, state legislatures are given the freedom to decide whether they want to change their laws in any way or maintain their current program. If a state decides to adopt the bill's uniform definitions and procedures, but also wants to disclose additional information about a vehicle's damage history to its residents, S. 852 gives the state ample flexibility to do so.

Congress started down this road six years ago with the passage of the Anti-Car Theft Act of 1992. The Act directed the Secretary of Transportation to establish a task force to study problems associated with motor vehicle titling, and more importantly, the specific problems that have contributed to this serious and costly titling fraud. The statute required "an examination of the extent to which the absence of uniformity and integration of state laws regulating vehicle titling and registration and salvage of used vehicles allows enterprising criminals to find the weakest link to 'wash' the stolen character of the vehicles."

This was an important charge entrusted to a very qualified group of individuals with significant knowledge and experience in motor vehicle titling procedures. The task force included representatives from a wide range of backgrounds including federal transportation officials; federal, state, and local law enforcement officials; state motor vehicle officials; motor vehicle manufacturers, dealers, and recyclers; salvage yard operators and scrap processors; insurers; and others.

After approximately eight months of deliberation, the task force concluded that the lack of uniformity in state laws is the primary reason that unscrupulous rebuilders are able to "wash" vehicle titles with relative ease. What's more, the task force recommended a seventy-five percent damage threshold before a vehicle would be branded as "salvage." By including the seventy-five percent threshold in our latest draft of the bill, Senator FORD and I simply followed the task force's recommendations, which were based on careful and thorough consideration of this issue for all affected parties.

While the vast majority of people in the auto salvage business are honest, hard-working individuals, a group of dishonest rebuilders are continuing to tarnish the salvage vehicle industry. It is this latter group that Congress must put out of business. Far too many people are falling victim to the scam of

passing off rebuilt totaled vehicles as undamaged. The loopholes that allow this deceptive practice to continue must be closed now. Only cheats and crooks that prey on the innocent will benefit from any lack of action during this Congress.

While not a perfect solution, S. 852 is a significant step in the right direction. It represents a fair balance between the need to establish uniform procedures for disclosing information to consumers about a vehicle's damage history and the need to preserve states' right to determine what is in the best interest of their citizens.

S. 852 will stem the tide of motor vehicle titling fraud, protect consumers and automobile dealers, and reduce the number of injuries and fatalities on America's roads and highways. I urge my colleagues to give S. 852 their full support.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on August 4, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills and joint resolution, without amendment:

S. 1759. An act to grant a Federal charter to the American GI Forum of the United States.

S. 2143. An act to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, and for other purposes.

S. 2344. An act to amend the Agricultural Market Transition Act to provide for the advance payment, in full, of the fiscal year 1999 payments otherwise required under production flexibility contracts.

S.J. Res. 54. Joint resolution finding the Government of Iraq in unacceptable and material breach of its international obligations.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 434) to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and

the town of Jemez Springs, New Mexico.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 765) to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

The message also announced the House agrees to the amendment of the Senate to the bill (H.R. 1151) to amend the Federal Credit Union Act to clarify existing law with regard to the field of membership of Federal credit unions, to preserve the integrity and purpose of Federal credit unions, to enhance supervisory oversight of insured credit unions, and for other purposes.

##### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 434. An act to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

H.R. 643. An act to designate the United States courthouse to be constructed at the corner of Superior and Huron Roads in Cleveland, Ohio, as the "Carl B. Stokes United States Courthouse."

H.R. 765. An act to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

H.R. 872. A act to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes.

H.R. 1085. An act to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, "Patriotic and National Observances, Ceremonies, and Organizations."

H.R. 1151. An act to amend the Federal Credit Union Act to clarify existing law with regard to the field of membership of Federal credit unions, to preserve the integrity and purpose of Federal credit unions, to enhance supervisory oversight of insured credit unions, and for other purposes.

H.R. 1385. An act to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes.

H.R. 3152. An act to provide that certain volunteers at private non-profit food banks are not employees for purposes of the Fair Labor Standards Act of 1938.

H.R. 3504. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance.

H.R. 3731. An act to designate the auditorium located with the Sandia Technology Transfer Center in Albuquerque, New Mexico, as the "Steve Schiff Auditorium."

H.R. 4237. An act to amend the District of Columbia Convention Center and Sports Arena Authorization Act of 1995 to revise the revenues and activities covered under such act, and for other purposes.

H.R. 4354. An act to establish the United States Capitol Memorial Fund on behalf of the families of Detective John Michael Gib-

son and Private First Class Jacob Joseph Chestnut of the United States Capitol Police.

Under the authority of the order of the Senate of January 7, 1997, the enrolled bills were signed on August 4, 1998, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on August 5, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 1800. An act to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse."

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on August 10, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 1379. An act to amend section 552 of title 5, United States Code, and the National Security Act of 1947 to require disclosure under the Freedom of Information Act regarding certain persons, disclose Nazi war criminal records without impairing any investigations or prosecution conducted by the Department of Justice or certain intelligence matters, and for other purposes.

##### ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills and joint resolution:

H.R. 3824. An act amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

S. 1759. An act to grant a Federal charter to the American GI Forum of the United States.

S. 1800. An act to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse."

S. 2143. An act to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, and for other purposes.

S. 2344. An act to amend the Agricultural Market Transition Act to provide for advance payment, in full, of the fiscal year 1999 payments otherwise required under production flexibility contracts.

S.J. Res. 54. Joint resolution finding the Government of Iraq in unacceptable and material breach of its international obligations.

Under the authority of the order of the Senate of January 7, 1997, the enrolled bills were signed on August 10, 1998, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND).

#### MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by



Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 379. An act for the relief of Larry Errol Pieterse.

H.R. 1728. An act to provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes.

H.R. 1865. An act to designate certain lands in the San Isabel National Forest, in Colorado, as the Spanish Peaks Wilderness.

H.R. 2070. An act to amend title 18, United States Code, to provide for the testing of certain persons who are incarcerated or ordered detained before trial, for the presence of the human immunodeficiency virus, and for other purposes.

H.R. 2183. An act to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes.

H.R. 2281. An act to amend title 17, United States Code, to implement the World Intellectual Property Organization Copyright Treaty and Performances and Phonograms Treaty.

H.R. 2592. An act to amend title 28 of the United States Code to provide trustees the right to seek administrative and judicial review of the refusal of a United States trustee to assign, and of certain actions of a United States trustee relating to expenses claimed relating to, cases under title 11 of the United States Code.

H.R. 2744. An act for the relief of Chong Ho Kwak.

H.R. 2759. An act to amend the Immigration and Nationality Act with respect to the requirements for the admission of non-immigrant nurses who will practice in health professional shortage areas.

H.R. 3047. An act to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres.

H.R. 3460. An act to approve a governing international fishery agreement between the United States and the Republic of Latvia, and for other purposes.

H.R. 3633. An act to amend the Controlled Substances Import and Export Act to place limitations on controlled substances brought into the United States.

H.R. 3687. An act to authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas.

H.R. 3696. An act to designate the Federal courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin United States Courthouse."

H.R. 3743. An act to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes.

H.R. 3790. An act to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Library of Congress.

H.R. 3821. An act to designate the Headquarters Compound of the Central Intelligence Agency located in Langley, Virginia as the George H.W. Bush Center for Central Intelligence.

H.R. 3980. An act to amend title 38, United States Code, to extend the authority for the Secretary of Veterans Affairs to treat illnesses of Persian Gulf War veterans, to provide authority to treat illnesses of veterans

which may be attributable to future combat service, and to revise the process for determining priorities for research relative to the health consequences of service in the Persian Gulf War, and for other purposes.

H.R. 4037. An act to require the Occupational Safety and Health Administration to recognize that electronic forms of providing material safety data sheets provide the same level of access to information as paper copies and to improve the presentation of safety and emergency information on such data sheets.

H.R. 4110. An act to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to make various improvements in education, housing, and cemetery programs of the Department of Veterans Affairs, and for other purposes.

H.R. 4276. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

H.R. 4342. An act to make miscellaneous and technical changes to various trade laws, and for other purposes.

H.R. 4380. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 213. Concurrent resolution expressing the sense of the Congress that the elimination of restrictions on the importation of United States agricultural products by United States trading partners should be a top priority in trade negotiations.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 414. An act to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States imports and exports, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 3824) amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

#### MEASURES REFERRED

The Committee on Governmental Affairs was discharged from further consideration of the following measure which was referred to the Committee on Environment and Public Works:

H.R. 1502. An act to designate the United States Courthouse located at 301 West Main Street in Benton, Illinois, as the "James L. Foreman United States Courthouse."

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 213. Concurrent resolution expressing the sense of the Congress that the elimination of restrictions on the importation of United States agricultural products by United States trading partners should be

a top priority in trade negotiations; to the Committee on Finance.

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 379. An act for the relief of Larry Errol Pieterse; to the Committee on the Judiciary.

H.R. 1728. An act to provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1865. An act to designate certain lands in the San Isabel National Forest, in Colorado, as the Spanish Peaks Wilderness; to the Committee on Energy and Natural Resources.

H.R. 2070. An act to amend title 18, United States Code, to provide for the testing of certain persons who are incarcerated or ordered detained before trial, for the presence of the human immunodeficiency virus, and for other purposes; to the Committee on the Judiciary.

H.R. 2592. An act to amend title 28 of the United States Code to provide trustees the right to seek administrative and judicial review of the refusal of a United States trustee to assign, and of certain actions of a United States trustee relating to expenses claimed relating to, cases under title 11 of the United States Code; to the Committee on the Judiciary.

H.R. 2744. An act for the relief of Chong Ho Kwak; to the Committee on the Judiciary.

H.R. 2759. An act to amend the Immigration and Nationality Act with respect to the requirements for the admission of non-immigrant nurses who will practice in health professional shortage areas; to the Committee on the Judiciary.

H.R. 3047. An act to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres; to the Committee on Energy and Natural Resources.

H.R. 3687. An act to authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas; to the Committee on Energy and Natural Resources.

H.R. 3743. An act to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes; to the Committee on Foreign Relations.

H.R. 3790. An act to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Library of Congress; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3821. An act to designate the Headquarters Compound of the Central Intelligence Agency located in Langley, Virginia, as the George H.W. Bush Center for Central Intelligence; to the Select Committee on Intelligence.

H.R. 3980. An act to amend title 38, United States Code, to extend the authority for the Secretary of Veterans Affairs to treat illnesses of Persian Gulf War veterans, to provide authority to treat illnesses of veterans which may be attributable to future combat service, and to revise the process for determining priorities for research relative to the health consequences of service in the Persian Gulf War, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4037. An act to require the Occupational Safety and Health Administration to

recognize that electronic forms of providing material safety data sheets provide the same level of access to information as paper copies and to improve the presentation of safety and emergency information on such data sheets; to the Committee on Labor and Human Resources.

H.R. 4110. An act to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to make various improvements in education, housing, and cemetery programs of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4342. An act to make miscellaneous and technical changes to various trade laws, and for other purposes; to the Committee on Finance.

### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times, and placed on the calendar:

H.R. 2281. An act to amend title 17, United States Code, to implement the World Intellectual Property Organization Copyright Treaty and Performances and Phonograms Treaty.

H.R. 4057. An act to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

H.R. 4380. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

### MEASURE READ THE FIRST TIME

The following bill was read the first time:

H.R. 2183. An act to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes.

### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on August 10, 1998 he had presented to the President of the United States, the following enrolled bills and joint resolution:

S. 1759. An act to grant a Federal charter to the American GI Forum of the United States.

S. 1800. An act to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse."

S. 2143. An act to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, and for other purposes.

S. 2344. An act to amend the Agricultural Market Transition Act to provide for advance payment, in full, of the fiscal year 1999 payments otherwise required under production flexibility contracts.

S.J. Res. 54. Joint resolution finding the Government of Iraq in unacceptable and material breach of its international obligations.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-6317. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Administrative Amendments" (FRL6135-5) received on July 31, 1998; to the Committee on Environment and Public Works.

EC-6318. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities; New York" (FRL6134-7) received on July 31, 1998; to the Committee on Environment and Public Works.

EC-6319. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lead; Minor Amendment to the Grant Provision in the Lead-Based Paint Activities Rule" (FRL5796-1) received on July 31, 1998; to the Committee on Environment and Public Works.

EC-6320. A communication from the Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule regarding perch fishery in the Eastern Regulatory Area of the Gulf of Alaska (I.D. 070298A) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6321. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Pacific Ocean Perch in the Western Regulatory Area" (I.D. 071398A) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6322. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule regarding northern rockfish in the Western Regulatory Area of the Gulf of Alaska (I.D. 071698D) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6323. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule regarding perch fishery in the Western Regulatory Area of the Gulf of Alaska (I.D. 071698G) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6324. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule regarding pelagic shelf rockfish in the Eastern Regulatory Area of the Gulf of Alaska (I.D. 071698I) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6325. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Ad-

ministration, transmitting, pursuant to law, the report of a rule regarding pelagic shelf rockfish in the Western Regulatory Area of the Gulf of Alaska (I.D. 071698E) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6326. A communication from the Acting Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, reports on direct spending or receipts legislation within seven days of enactment (Reports 449, 450, 451); to the Committee on the Budget.

EC-6327. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, reports on direct spending or receipts legislation within seven days of enactment (Reports 453, 454, 455); to the Committee on the Budget.

EC-6328. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation within seven days of enactment (Report 452); to the Committee on the Budget.

EC-6329. A communication from the Secretary of Defense, transmitting, notice of routine military retirements; to the Committee on Armed Services.

EC-6330. A communication from the Director of Defense Procurement, Office of the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Reform of Affirmative Action in Federal Procurement" (Case 98-D007) received on August 4, 1998; to the Committee on Armed Services.

EC-6331. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, the report on Defense Manpower Requirements for fiscal year 1999; to the Committee on Armed Services.

EC-6332. A communication from the Director of Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, the Department's report on acquisition and cross-servicing agreements with non-NATO countries for fiscal year 1997; to the Committee on Armed Services.

EC-6333. A communication from the Commissioner of the Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the Department's report on activities of the Rehabilitation Services Administration for fiscal year 1995; to the Committee on Labor and Human Resources.

EC-6334. A communication from the Deputy Executive Director and Chief Operating Officer of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits" received on August 12, 1998; to the Committee on Labor and Human Resources.

EC-6335. A communication from the Deputy Executive Director and Chief Operating Officer of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Valuation and Payment of Lump Sum Benefits" (RIN1212-AA88) received on August 6, 1998; to the Committee on Labor and Human Resources.

EC-6336. A communication from the Deputy Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human



Services, transmitting, pursuant to law, the report of a rule entitled "Revisions to the General Safety Requirements for Biological Products" (RIN0910-ZA08) received on August 12, 1998; to the Committee on Labor and Human Resources.

EC-6337. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Beverages: Bottled Water" (Docket 98N-0294) received on August 12, 1998; to the Committee on Labor and Human Resources.

EC-6338. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Reclassification and Codification of Vitamin D Test Systems" (Docket 96P-0228) received on August 12, 1998; to the Committee on Labor and Human Resources.

EC-6339. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Neurological Devices; Classification of Cranial Orthosis" (Docket 98N-0513) received on August 12, 1998; to the Committee on Labor and Human Resources.

EC-6340. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling; Petitions for Nutrient Content and Health Claims, General Provisions; Correction" (Docket 98N-0274) received on August 4, 1998; to the Committee on Labor and Human Resources.

EC-6341. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Amendment of Monograph for OTC Nasal Decongestant Drug Products" (RIN0910-AA01) received on August 10, 1998; to the Committee on Labor and Human Resources.

EC-6342. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the United States Mint's Annual Report for fiscal year 1997; to the Committee on Governmental Affairs.

EC-6343. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employment Priority Consideration Program for Displaced Employees of the District of Columbia Department of Corrections" (RIN3206-A128) received on August 4, 1998; to the Committee on Governmental Affairs.

EC-6344. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prohibition of 'Gag Clauses' in the Federal Employees Health Benefits Program" (RIN3206-A127) received on August 12, 1998; to the Committee on Governmental Affairs.

EC-6345. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a list of General Accounting Office reports issued or released in June 1998; to the Committee on Governmental Affairs.

EC-6346. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on General Accounting Office employees detailed to congressional committees; to the Committee on Governmental Affairs.

EC-6347. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, a report of additions to the Committee's Procurement List dated August 3, 1998; to the Committee on Governmental Affairs.

EC-6348. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, a report of additions to and deletions from the Committee's Procurement List dated July 27, 1998; to the Committee on Governmental Affairs.

EC-6349. A communication from the Acting Executive Director of the Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the report of the Office of Inspector General for fiscal year 1997; to the Committee on Governmental Affairs.

EC-6350. A communication from the Employee Benefits Manager of the AgFirst Farm Credit Bank, transmitting, pursuant to law, the Bank's annual report entitled "Independent Associations' Retirement Plan" for fiscal year 1997; to the Committee on Governmental Affairs.

EC-6351. A communication from the Deputy Director of the Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Removal of Obsolete Regulations Concerning the Inoperative Statutory Honorarium Bar, Revisions to Related Supplemental Reporting Requirements, and Conforming Technical Amendments" (RIN 3209-AA00 and RIN3209-AA13) received on July 31, 1998; to the Committee on Governmental Affairs.

EC-6352. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, notification of the obligation of funds for Nonproliferation and Disarmament Fund activities; to the Committee on Foreign Relations.

EC-6353. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed license for the co-development of rocket control systems with Israel (DTC 90-98); to the Committee on Foreign Relations.

EC-6354. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed license for the manufacture of Harpoon Weapon System Canisters in the United Kingdom (DTC 94-98); to the Committee on Foreign Relations.

EC-6355. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Documentation of Nonimmigrants and Immigrants—Minor Corrections or Additions to Nonimmigrant Visa Regulations and Deletion of Obsolete Immigrant Visa Provisions" (Notice 2863); to the Committee on Foreign Relations.

EC-6356. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report of international agreements other than treaties entered into by the United States (98-101—98-108); to the Committee on Foreign Relations.

EC-6357. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report of international agreements other than treaties entered into by the United States (98-109—98-115); to the Committee on Foreign Relations.

EC-6358. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Designation of Rural Empowerment Zones and Enterprise Communities" (RIN0503-AA18) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6359. A communication from the Administrator of the Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Servicing of Community and Insured Business Programs Loans and Grants" (RIN0572-AB23) received on July 31, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6360. A communication from the Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cleaning and Reinspection of Farmers Stock Peanuts" (RIN0560-AF56) received on August 10, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6361. A communication from the Manager of the Federal Crop Insurance Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "General Administrative Regulations, Subpart U; and Catastrophic Risk Protection Endorsement; Regulations for the 1999 and Subsequent Reinsurance Years; Interim Rule" (RIN0563-AB68) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6362. A communication from the Manager of the Federal Crop Insurance Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "General Administrative Regulations, Subpart T—Federal Crop Insurance Implementation; Regulations for the 1999 and Subsequent Reinsurance Years; and the Common Crop Insurance Regulations; Basic Provisions; and Various Crop Insurance Provisions; Interim Rule" (RIN0563-AB67) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6363. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Voluntary Poultry and Rabbit Grading Regulations" (Docket PY-97-004) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6364. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced in California; Increase in Desirable Carryout Used to Compute Trade Demand" (Docket FV98-989-2IFR) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6365. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Orange and Grapefruit Grown in the Lower Rio Grande Valley in Texas; Decreased Assessment Rate" (Docket FV98-906-1IFR) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6366. A communication from the Administrator of the Agriculture Marketing

Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Domestically Produced Peanuts; Decreased Assessment Rate" (Docket FV98-997-1IFR and FV98-998-1IFR) received on August 12, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6367. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Kiwifruit Grown in California; Temporary Suspension of an Inspection Requirement" (Docket FV98-920-2FR) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6368. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Almonds Grown in California; Revision of Requirements Regarding Quality Control Program" (Docket FV98-981-1FR) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6369. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis in Cattle and Bison; State Designation; Michigan" (Docket 98-081-1) received on August 10, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6370. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mediterranean Fruit Fly; Addition to Quarantined Areas" (Docket 97-056-14) received on August 10, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6371. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mexican Fruit Fly Regulations; Addition of Regulated Area" (Docket 98-082-1) received on August 11, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6372. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Great Britain Because of Exotic Newcastle Disease" (Docket 98-002-2) received on August 13, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6373. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Commutated Traveltime Periods; Overtime Services Relating to Imports and Exports" (Docket 98-076-1) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6374. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Poultry Improvement Plan; Special Provisions for Ostrich Breeding Flocks and Products" (Docket 97-043-2) received on August 4, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6375. A communication from the Secretary of Health and Human Services, trans-

mitting, pursuant to law, the annual report on the Temporary Assistance for Needy Families program; to the Committee on Finance.

EC-6376. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Surety Bond Requirements for Home Health Agencies" (RIN9038-AJ08) received on July 31, 1998; to the Committee on Finance.

EC-6377. A communication from the United States Trade Representative, Executive Office of the President, transmitting, a draft of proposed legislation to amend the U.S. textile and apparel rules of origin; to the Committee on Finance.

EC-6378. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report on the taxation of Social Security and Railroad Retirement Benefits for calendar year 1993; to the Committee on Finance.

EC-6379. A communication from the Chief of the Regulations Unit, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Geographical Description of Kodiak, Alaska Customs Port of Entry" (T.D. 98-65) received on July 28, 1998; to the Committee on Finance.

EC-6380. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule regarding new procedures for processing employment tax cases involving worker classification (Notice 98-43) received on July 29, 1998; to the Committee on Finance.

EC-6381. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Effective Date of Nondiscrimination Regulations for Church Plans" (Notice 98-39) received on July 29, 1998; to the Committee on Finance.

EC-6382. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "SRLY Notice" (Notice 98-38) received on July 31, 1998; to the Committee on Finance.

EC-6383. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "General Rule for Taxable Year of Deduction" (Rev. Rul. 98-39) received on July 31, 1998; to the Committee on Finance.

EC-6384. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule regarding deferred compensation plans (Rev. Proc. 98-40) received on August 4, 1998; to the Committee on Finance.

EC-6385. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 98-37) received on August 4, 1998; to the Committee on Finance.

EC-6386. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified Nonrecourse Financing" (RIN1545-AV17) received on August 10, 1998; to the Committee on Finance.

EC-6387. A communication from the National Director of the Tax Forms and Publi-

cations Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule regarding changes made to electronic or magnetic returns to accommodate the year 2000 (Rev. Proc. 98-44) received on August 7, 1998; to the Committee on Finance.

EC-6388. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of five rules: "List of Communities Eligible for the Sale of Flood Insurance" (FRL37783); "Changes in Flood Elevation Determinations" (FRL 37783, FRL38326); "Suspension of Community Eligibility" (FRL39752); "Final Flood Elevation Determinations" (FRL37786); received on August 10, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-6389. A communication from the Vice Chair of the Export-Import Bank of the United States, transmitting, pursuant to law, notice of a financial guarantee to Air China in the People's Republic of China to support the purchase of aircraft and engines; to the Committee on Banking, Housing, and Urban Affairs.

EC-6390. A communication from the Comptroller of the Currency and Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Servicing Assets" received on August 7, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-6391. A communication from the Deputy Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report entitled "Statement of the Commission Regarding Disclosure of Year 2000 Issues and Consequences by Public Companies, Investment Advisers, Investment Companies, and Municipal Securities Issuers"; to the Committee on Banking, Housing, and Urban Affairs.

EC-6392. A communication from the Managing Director of the Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Membership Approval" (RIN3069-AA67) received on August 4, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-6393. A communication from the Federal Register Liaison Officer of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Capital; Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Servicing Assets" received on August 4, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-6394. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Capital; Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Servicing Assets" (Docket R-0976) received on August 4, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-6395. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, notice that the limitation on the Government National Mortgage Association's authority to make commitments for the fiscal year will be reached before the end of fiscal year 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-6396. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's report on effects of the Anti Car Theft Act of 1992; to the Committee on the Judiciary.



EC-6397. A communication from the Chief Justice of the United States, transmitting, a report on the proceedings of the Judicial Conference; to the Committee on the Judiciary.

EC-6398. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting, a draft of proposed legislation entitled "The Immigration and Naturalization Service Restructuring Act"; to the Committee on the Judiciary.

EC-6399. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule regarding the redelegation of authority to deputize task force officers and cross-designate federal officers received on August 12, 1998; to the Committee on the Judiciary.

EC-6400. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Waiver of Inadmissibility for Certain Applicants for Admission as Permanent Residents" (RIN1115-AE47) received on July 31, 1998; to the Committee on the Judiciary.

EC-6401. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Certain Fees of the Immigration Examinations Fee Account" (RIN1115-AE42) received on August 13, 1998; to the Committee on the Judiciary.

EC-6402. A communication from the Chairman of the National Labor Relations Board, transmitting, pursuant to law, the Board's report of activities under the Freedom of Information Act for the period from January 1, 1997 through September 30, 1997; to the Committee on the Judiciary.

EC-6403. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Authorization of DEA Laboratory Directors to Release DEA Laboratory Information to Federal and State Prosecutors; Redefinition of Authority" received on August 12, 1998; to the Committee on the Judiciary.

EC-6404. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 1999 Rates" (RIN0938-AI22) received on July 31, 1998; to the Committee on Finance.

EC-6405. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report on the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC-6406. A communication from the Deputy Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Administrative Revisions to the NASA FAR Supplement" received on August 12, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6407. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Revision to the

NASA FAR Supplement on Contractor Performance Information" received on August 12, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6408. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Establish A Seasonal Exempted Gillnet Fishery for Little Tunny in a Portion of the Southern New England Regulated Mesh Area" (RIN0648-AK35) received on August 4, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6409. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands" (Docket 971208298-8055-02) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6410. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; 'Other Rockfish' in the Central Regulatory Area of the Gulf of Alaska" (Docket 971208297-8054-02) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6411. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; 'Other Rockfish' in the Eastern Regulatory Area of the Gulf of Alaska" (Docket 971208297-8054-02) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6412. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Prohibition of Directed Fishing for Pelagic Shelf Rockfish in the Central Regulatory Area of the Gulf of Alaska" received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6413. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Antarctic Marine Living Resources Convention Act of 1984; Conservation and Management Measures" (RIN0648-AJ94) received on August 4, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6414. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Western Pacific Crustacean Fisheries; Bank/Area-Specific Harvest Guidelines" (RIN0648-AK22) received on August 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6415. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (Docket 971208297-8054-02) received on August 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6416. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Shark Fisheries; Large Coastal Shark Species" (I.D. 073098A) received on August 12, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6417. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish by Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska" (I.D. 072498G) received on August 12, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6418. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska" (I.D. 072498E) received on August 04, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6419. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; 'Other Rockfish' in the Western Regulatory Area of the Gulf of Alaska" (I.D. 072498D) received on August 04, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6420. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (I.D. 072498F) received on August 04, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6421. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Exemption of Commonly-Owned Motor Carriers From Equipment Identification and Receipt Requirements Applicable to Leased and Interchanged Vehicles" (RIN2125-AE26) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6422. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards: Head Impact Protection" (RIN2127-AG07) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6423. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Anthropomorphic Test Dummy for Head Impact Protection" (RIN2127-AG74) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6424. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310 Series Airplanes" (RIN2120-AA64) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6425. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dornier Model 328-100 Series Airplanes" (Docket 98-NM-90-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6426. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes" (Docket 98-NM-116-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6427. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 767 Series Airplanes" (Docket 97-NM-52-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6428. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300-600 Series Airplanes" (Docket 96-NM-42-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6429. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class D and Class E Airspace; Fort Leonard Wood, MO; Correction" (Docket 98-ACE-17) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6430. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes" (Docket 98-NM-80-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6431. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300-600 and A310 Series Airplanes" (Docket 98-NM-19-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6432. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-1245 Airplanes" (Docket 98-CE-40-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6433. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A319, A320, A321, A300, A300-600, A330, and A340 Series Airplanes" (Docket 98-NM-229-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6434. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the re-

port of a rule entitled "Modification of VOR Federal Airway V-465" (Docket 96-ANM-15) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6435. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Realignment of VOR Federal Airway 369; TX" (Docket 98-ASW-40) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6436. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Tallahassee, FL" (Docket 98-ASO-8) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6437. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Safford, AZ" (Docket 96-AWP-11) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6438. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes" (Docket 98-NM-212-AD) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6439. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Moses Lake, WA" (Docket 98-ANM-05) received on August 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6440. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Prospect Bay, Maryland" (Docket 05-98-063) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6441. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SOCATA—Groupe AEROSPATIAL Models TB9 and TB10 Airplanes" (Docket 95-CE-72-AD) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6442. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company 180, 182, and 185 Series Airplanes" (Docket 97-CE-14-AD) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6443. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Bennington, VT" (Docket 98-ANE-94) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6444. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Fitchburg, MA" (Docket 98-ANE-93) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6445. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Newton, IA" (Docket 98-ACE-24) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6446. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Lake Charles, LA" (Docket 98-ASW-41) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6447. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class D Airspace; McKinney, TX" (Docket 98-ASW-32) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6448. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class D and Class E Airspace; St. Joseph, MO" (Docket 98-ACE-6) received on July 31, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6449. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A320 and A321 Series Airplanes" (Docket 97-NM-148-AD) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6450. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747 Series Airplanes" (Docket 98-NM-210-AD) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6451. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Motorcycle Headlamp Location Requirement" (RIN2127-AG84) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6452. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Replaceable Light Source Information; Federal Motor Vehicle Safety Standards" (RIN2127-AH32) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6453. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Advanced Civil Speed Enforcement System; Northeast Corridor Railroads" (RIN2130-AB20) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6454. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Periodic Updated to Pipeline Safety Regulations" (Docket RSPA-97-2251) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6455. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Staten Island Fireworks, New York Harbor, Lower



Bay" (Docket 01-98-102) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6456. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Delaware River, Philadelphia, Pennsylvania" (Docket 05-98-002) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6457. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; St. Johns River, Jacksonville, Florida" (Docket 07-98-033) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6458. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Streamlined Inspection Program" (Docket 96-055) received on August 7, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6459. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices of Interstate Natural Gas Pipelines" (Docket RM96-1-008) received on August 10, 1998; to the Committee on Energy and Natural Resources.

EC-6460. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Reporting Interstate Natural Gas Pipeline Marketing Affiliates on the Internet" (Docket RM98-7-000) received on August 10, 1998; to the Committee on Energy and Natural Resources.

EC-6461. A communication from the Director of the Office of Rulemaking Coordination, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Contractor Performance-Based Business Management Process" (DOE O 224.1) received on August 12, 1998; to the Committee on Energy and Natural Resources.

EC-6462. A communication from the Administrator of the Energy Information Administration, Department of Energy, transmitting, pursuant to law, the Administration's report entitled "Annual Energy Review 1997"; to the Committee on Energy and Natural Resources.

EC-6463. A communication from the Secretary of the Interior, transmitting, pursuant to law, notice of the acceptance of a gift of land adjacent to the Rawhide Mountains Wilderness area for preservation as wilderness; to the Committee on Energy and Natural Resources.

EC-6464. A communication from the Commissioner of the Bureau of Reclamation, Department of the Interior, transmitting, pursuant to law, a report on proposed safety modifications to the Salmon Lake Dam, Okanogan Project in Washington; to the Committee on Energy and Natural Resources.

EC-6465. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notification of refunds of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-6466. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the re-

port of a rule entitled "Mississippi Regulatory Program" (No. MS-013-FOR) received on August 11, 1998; to the Committee on Energy and Natural Resources.

EC-6467. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oklahoma Regulatory Program" (No. OK-022-FOR) received on August 5, 1998; to the Committee on Energy and Natural Resources.

EC-6468. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Kentucky Regulatory Program" (No. KY-191-FOR) received on August 5, 1998; to the Committee on Energy and Natural Resources.

EC-6469. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Subpart J—Pipelines and Pipeline Rights-of-Way" (RIN1010-AC39) received on August 12, 1998; to the Committee on Energy and Natural Resources.

EC-6470. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, a notice on leasing systems for the Western Gulf of Mexico, Sale 171; to the Committee on Energy and Natural Resources.

EC-6471. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Potassium Dihydrogen Phosphate; Exemption From the Requirement of a Tolerance" (FRL6017-6) received on August 6, 1998; to the Committee on Environment and Public Works.

EC-6472. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Halon Recycling and Recovery Equipment Certification" (FRL6136-8) received on August 6, 1998; to the Committee on Environment and Public Works.

EC-6473. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Zucchini Juice Added to Buffalo Gourd Root Powder; Exemption from the Requirement of a Tolerance" (FRL6017-5) received on August 6, 1998; to the Committee on Environment and Public Works.

EC-6474. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's quarterly report on the nondisclosure of safeguards information; to the Committee on Environment and Public Works.

EC-6475. A communication from the Chairman of the Inland Waterways Users Board, transmitting, pursuant to law, the Board's annual report for fiscal year 1998; to the Committee on Environment and Public Works.

EC-6476. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule Listing Five Plants from Mon-

terey County, California, as Endangered or Threatened" (RIN1018-AD09) received on August 11, 1998; to the Committee on Environment and Public Works.

EC-6477. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Emergency Listing of the Jarbidge River Population Segment of Bull Trout as Endangered" (RIN1018-AF01) received on August 11, 1998; to the Committee on Environment and Public Works.

EC-6478. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil Spill Financial Responsibility for Offshore Facilities" (RIN1010-AC33) received on August 3, 1998; to the Committee on Environment and Public Works.

EC-6479. A communication from the Co-Chair of the Committee on Environment and Natural Resources of the National Science and Technology Council, Department of Commerce, transmitting, pursuant to law, a report entitled "National Acid Precipitation Assessment Program Biennial Report to Congress: An Integrated Assessment"; to the Committee on Environment and Public Works.

EC-6480. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the Administrator's report on the air quality need, technological feasibility, and cost effectiveness of more stringent standards for light-duty vehicles and light-duty trucks; to the Committee on Environment and Public Works.

EC-6481. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maine; Source Surveillance Regulation" (FRL6136-3) received on August 5, 1998; to the Committee on Environment and Public Works.

EC-6482. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Diego Air Pollution Control District" (FRL6137-9) received on August 5, 1998; to the Committee on Environment and Public Works.

EC-6483. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Monterey Bay Unified Air Pollution Control District" (FRL6138-6) received on August 5, 1998; to the Committee on Environment and Public Works.

EC-6484. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; South Coast Air Quality Management District" (FRL6138-2) received on August 5, 1998; to the Committee on Environment and Public Works.

EC-6485. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Buprofezin; Pesticide Tolerances for Emergency Exemptions" (FRL6018-5) received on July 31, 1998; to the Committee on Environment and Public Works.

EC-6486. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluroxypyr 1-Methylheptyl Ester; Pesticide Tolerances for Emergency Exemptions" (FRL6018-4) received on July 31, 1998; to the Committee on Environment and Public Works.

EC-6487. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutolanil; Pesticide Tolerance" (FRL6021-7) received on July 31, 1998; to the Committee on Environment and Public Works.

EC-6488. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule regarding the Ohio State Plan for control of landfill gas emissions (FRL6134-5) received on August 3, 1998; to the Committee on Environment and Public Works.

EC-6489. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pharmaceutical Manufacturing Category Effluent Limitations Guidelines, Pretreatment Standards, and New Sources Performance Standards; Final Rule" (FRL6135-7) received on August 3, 1998; to the Committee on Environment and Public Works.

EC-6490. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Source Categories; Pharmaceuticals Production" (FRL6135-6) received on August 3, 1998; to the Committee on Environment and Public Works.

EC-6491. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Avermectin; Extension of Tolerance for Emergency Exemptions" (FRL6021-2) received on August 4, 1998; to the Committee on Environment and Public Works.

EC-6492. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Carfentrazonethyl; Temporary Pesticide Tolerance" (FRL6018-1) received on August 4, 1998; to the Committee on Environment and Public Works.

EC-6493. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Endothal; Extension of Tolerance for Emergency Exemptions" (FRL6020-1) received on August 4, 1998; to the Committee on Environment and Public Works.

EC-6494. A communication from the Director of the Office of Regulatory Management

and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule making a technical amendment to restrictions on organobromide production wastes (FRL6139-6) received on August 4, 1998; to the Committee on Environment and Public Works.

EC-6495. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulations of Fuels and Fuel Additives: Removal of the Reformulated Gasoline Program from the Phoenix, Arizona Serious Ozone Nonattainment Area" (FRL6137-8) received on August 4, 1998; to the Committee on Environment and Public Works.

EC-6496. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule regarding the Minnesota submittal of a Municipal Waste Combustor State Plan (FRL6139-2) received on August 10, 1998; to the Committee on Environment and Public Works.

EC-6497. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule regarding changes to air quality regulations for volatile organic compounds in Utah (FRL6140-5) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6498. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Kern County Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, South Coast Air Quality Management District" (FRL6138-4) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6499. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District and South Coast Air Quality Management District" (FRL6141-8) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6500. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District, San Diego County Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, South Coast Air Quality Management District" (FRL6137-6) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6501. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District" (FRL6142-1) received on August 13,

1998; to the Committee on Environment and Public Works.

EC-6502. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delaware: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL6145-2) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6503. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designation of Areas for Air Quality Planning Purposes Kentucky: Redesignation of the Muhlenberg County Sulfur Dioxide Secondary Nonattainment Area to Attainment" (FRL6145-2) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6504. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Guidance on Implementing the Capacity Development Provisions of the Safe Drinking Water Act Amendments of 1996" received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6505. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Primary Drinking Water Regulations: Consumer Confidence Reports" (FRL6145-3) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6506. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "OMB Approval Numbers Under the Paperwork Reduction Act; Standards of Performance For New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills" (FRL6142-9) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6507. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision of Existing Variance and Exemption Regulations to Comply with Requirements of the Safe Drinking Water Act" (FRL6144-2) received on August 13, 1998; to the Committee on Environment and Public Works.

EC-6508. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spinosad; Pesticide Tolerance" (FRL6021-9) received on August 13, 1998; to the Committee on Environment and Public Works.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated, on July 31, 1998:

POM-521. A resolution adopted by the President and Board of Trustees of the Village of Melrose Park, Illinois relative to air quality standards; to the Committee on Environment and Public Works.



POM-522. A petition from a Citizen of the State of Texas relative to Congressional pay raises; to the Committee on Governmental Affairs.

POM-523. A resolution adopted by the Council of Bal Harbor Village, Florida relative to the renaming of the Everglades National Park; to the Committee on Energy and Natural Resources.

#### REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of July 31, 1998, the following reports of committees were submitted on August 25, 1998:

By Mr. CHAFEE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2131: A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes (Rept. No. 105-286).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 2359: A bill to amend the National Environmental Education Act to extend the programs under the Act, and for other purposes (Rept. No. 105-287).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1398: A bill to extend certain contracts between the Bureau of Reclamation and irrigation water contractors in Wyoming and Nebraska that receive water from Glendo Reservoir (Rept. No. 105-288).

S. 2087: A bill to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes (Rept. No. 105-289).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 2171: A bill to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Arkansas (Rept. No. 105-290).

H.R. 449: A bill to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada (Rept. No. 105-291).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

H.R. 2886: A bill to provide for a demonstration project in the Stanislaus National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System (Rept. No. 105-292).

H.R. 3796: A bill to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management (Rept. No. 105-293).

By Mr. THOMPSON, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 1397: A bill to establish a commission to assist in commemoration of the centennial

of powered flight and the achievements of the Wright Brothers (Rept. No. 105-294).

By Mr. THOMPSON, from the Committee on Governmental Affairs, with amendments:

H.R. 930: A bill to require Federal employees to use Federal travel charge cards for all payments of expenses of official Government travel, to amend title 31, United States Code, to establish requirements for prepayment audits of Federal agency transportation expenses, to authorize reimbursement of Federal agency employees for taxes incurred on travel or transportation reimbursements, and to authorize test programs for the payment of Federal employee travel expenses and relocation expenses (Rept. No. 105-295).

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

H.R. 3096: A bill to correct a provision relating to termination of benefits for convicted persons (Rept. No. 105-296).

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment and an amended preamble:

S. Con. Res. 82: A concurrent resolution expressing the sense of Congress concerning the worldwide trafficking of persons, that has a disproportionate impact on women and girls, and is condemned by the international community as a violation of fundamental human rights.

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of committees was submitted on August 25, 1998:

By Mr. HELMS, from the Committee on Foreign Relations:

Treaty Doc. 95-2(B) (formerly Ex. B., 95-1) (Exec. Rept. 105-20).

#### TEXT OF THE COMMITTEE-RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

*Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Montreal Protocol No. 4 to Amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed at Warsaw on October 12, 1929, as amended by the Protocol done at The Hague on September 8, 1955 (hereinafter Montreal Protocol No. 4) (Treaty Doc. 95-2B) Executive B, 95th Congress, 1st Session), subject to the declaration of subsection (a), and the provisos of subsection (b).*

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration:

(1) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISOS.—The resolution of ratification is subject to the following provisos:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

(2) RETURN OF PROTOCOL NO. 3 TO THE PRESIDENT.—Upon submission of this resolution of ratification to the President of the United

States, the Secretary of the Senate is directed to return to the President of the United States the Additional Protocol No. 3 to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air, signed at Warsaw on October 12, 1929, as amended by the Protocols done at The Hague, on September 28, 1955, and at Guatemala City, March 8, 1971 (Treaty Doc. 95-2A) Executive B, 95th Congress).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. COVERDELL (for himself, Mr. TORRICELLI, and Mr. MCCAIN):

S. 2426. A bill to amend the Internal Revenue Code of 1986 to provide a 2-month extension for the due date for filing a tax return for any member of a uniformed service on a tour of duty outside the United States for a period which includes the normal due date for such filing; to the Committee on Finance.

By Mr. CAMPBELL:

S. 2427. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (by request):

S. 2428. A bill to provide for the restructuring of the Immigration and Naturalization Service, and for other purposes; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CAMPBELL:

S. 2427. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work; to the Committee on Energy and Natural Resources.

#### BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

Mr. CAMPBELL. Mr. President, today I introduce legislation that seeks to extend the legislative authority for the construction of the Black Revolutionary War Patriots Memorial and for the Foundation raising funds to construct the memorial.

Mr. President, in 1986, the Congress enacted and President Reagan signed into law, legislation establishing a Black Revolutionary War Patriots Memorial, a memorial to honor the more than 5,000 African-Americans who fought for this country during the Revolutionary War. In order to appropriately recognize the bravery and sacrifice of these honorable and distinguished patriots, Public Law 99-558 sought to establish a suitable memorial, a monument which will be located on the Mall here in Washington, DC. When complete, the memorial will be the first monument on the Mall to be dedicated solely to the accomplishments of African-Americans.

The centerpiece of Public Law 99-558 was the establishment of the Black Revolutionary War Patriots Foundation, as a not-for-profit organization whose sole charter is to raise the necessary funding for the costs associated with constructing the memorial.

When enacted, the foundation was authorized to operate for a period of 10 years. In 1996, I introduced legislation which provided an additional 2-year extension of the legislative authority for the establishment of the memorial. While the foundation has raised a substantial amount of funding, it remains short of its \$9.5 million goal. The bill I introduce today would allow for a second and final extension which will provide the foundation with valuable time to complete its fundraising.

Mr. President, this memorial serves a noble purpose, honoring the service and patriotism of individuals long deserving of this praise and I strongly support the ongoing efforts for its establishment. Likewise, I am proud that the sculptor who has been commissioned to design this memorial, Ed Dwight, is not only from my home state of Colorado, but is also the first African-American astronaut trainee. Mr. Dwight is an accomplished artist residing in Denver and his work is known across the world. I would very much like to see his design for the Black Revolutionary War Patriots Memorial become one of the memorials situated among many of this country's most distinguished monuments.

Mr. President, I believe Congress has demonstrated its commitment to the establishment of the Black Revolutionary War Patriots Memorial by authorizing its construction 10 years ago. It is my hope this legislation will receive the full, expeditious support of the Senate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2427

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL.

Section 506 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 1003 note; 110 Stat. 4155) is amended by striking "1998" and inserting "2000".

By Mr. KENNEDY (by request):

S. 2428. A bill to provide for the restructuring of the Immigration and Naturalization Service, and for other purposes; to the Committee on the Judiciary.

#### THE IMMIGRATION AND NATURALIZATION SERVICE RESTRUCTURING ACT OF 1998

Mr. KENNEDY. Mr. President, it is a privilege on behalf of the administration to introduce the Immigration and Naturalization Service Restructuring

Act of 1998, and I urge the Senate to support it. The purpose of the act is to strengthen the enforcement of the Nation's immigration laws at the borders and in other parts of the country, and also to strengthen the many immigration and citizenship services that the INS provides.

The Nation has a long and distinguished history of welcoming immigrants and refugees who come to this country legally. But because the United States is widely viewed around the world as a land of extraordinary economic opportunities, these opportunities are often a magnet for illegal immigration. The Immigration and Naturalization Service has two equally important missions. It provides services and benefits to immigrants and refugees eligible for assistance under our laws, and it enforces the laws that prevent illegal immigration.

In recent years, the effectiveness of the INS in carrying out these two complex and often competing missions has been increasingly criticized. Many critics say that the agency is suffering from "mission overload" and proposals have been made to dismantle the agency and assign its responsibilities to other parts of the Federal Government.

One such proposal was made by the Commission on Immigration Reform, which conducted a comprehensive study of the functions and capabilities of the INS. The Commission's report contains some well-reasoned findings and excellent recommendations. However, the Commission's proposal for structural reform is highly controversial because it seeks to reassign core INS responsibilities to other federal agencies, the services and benefits function would be assigned to the Department of State, and the enforcement function would be assigned to the Department of Justice.

Under Commissioner Doris Meissner's impressive leadership, the Immigration and Naturalization Service has made significant progress in identifying its problems, developing strategies to correct them, and implementing successful reforms. A prime example is the significant achievements of the INS in expediting the asylum process. Today, asylum applications are processed in weeks, not months, and legitimate refugees fleeing persecution are granted prompt asylum.

Nonetheless, Commissioner Meissner is the first to admit that the agency faces continuing serious challenges that impede the agency's ability to carry out its basic responsibilities. The most significant problems are insufficient accountability between field offices and headquarters, the lack of consistency in its actions, the need for greater professionalism overlapping internal responsibilities, and weaknesses in regional and local management.

The administration has concluded, and I agree, that the most effective

way to address these problems is by modifying the agency, not dismantling it. After considerable study and analysis, the administration has developed worthwhile reforms to address the problems.

The Immigration and Naturalization Service Restructuring Act of 1998 will untangle the overlapping and often confusing organizational structure of the INS and replace it with two clear chains of command—one for enforcement and the other for the provision of services. These two equally important divisions will report, through their respective directors, to the INS Commissioner. The proposed act will maintain the integrity of the agency, and preserve its vast knowledge, skills and abilities, and use them in a more effective and efficient framework.

I urge my colleagues to support this approach and approve this needed and important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2428

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Immigration and Naturalization Service Restructuring Act of 1998".

#### SEC. 2. PURPOSES.

The purposes of this Act are to:

- (1) Advance the effective enforcement of our immigration laws at our borders and in the interior, and the efficient provision of immigration and citizenship services.
- (2) Untangle the overlapping and frequently confusing organizational structure of INS' by replacing it with two clear operational chains of command—one for enforcement and one for providing services—from the highest level of the agency to the lowest.
- (3) Create two parallel operational divisions which can each focus on its unique management, knowledge, skills and abilities, while also retaining the essential functions for guiding and coordinating these operations.
- (4) Improve customer-oriented immigrant services by—
  - (A) creating new local service offices;
  - (B) establishing new, distinct lines of accountability of authority for services;
  - (C) setting clear standards for customer service; and
  - (D) using technology to improve efficiency and customer service.
- (5) Strengthen enforcement operations by—
  - (A) establishing a single, coordinated enforcement mission;
  - (B) integrating enforcement, and strengthening accountability;
  - (C) organizing enforcement areas by function, including Border Patrol, inspections, investigations and removals, detention and enforcement support; and
  - (D) developing overtime pay parity with other Federal law enforcement agencies.
- (6) Provide for efficient integration of service and enforcement by—



(A) creating an administrative and technical backbone of support for enforcement and service; and

(B) developing and managing essential immigration records, computer systems, training, and shared administrative functions.

### SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) The term "INA" refers to the Immigration and Nationality Act of 1952, as amended up to the effective date of this Act.

(2) The term "INS" means the Immigration and Naturalization Service.

### SEC. 4. EFFECTIVE DATE.

Except as otherwise provided by this Act, this Act shall take effect on October 1, 2000.

## TITLE I—AGENCY ORGANIZATION

### SEC. 101. AGENCY ORGANIZATION.

(a) The Immigration and Naturalization Service [the Service] shall be responsible for administering the immigration laws of the United States. The Service will be organized in a way that ensures the effective implementation of enforcement strategies at the border, the interior of the country, and overseas, and the timely and efficient provision of immigrant services and benefits with complete integrity. The Service will be structured along programmatic lines and composed of an—

- (1) Office of Immigrant Services;
- (2) Office of Enforcement Operations; and
- (3) Office of Shared Services.

(b) **HEADQUARTERS OPERATIONS.**—The Service will be led by a Commissioner and Deputy Commissioner who will focus on immigration enforcement and service policy and establish a framework to implement national priorities. In addition, headquarters operations will be responsible for policy formulation, strategic planning and the development of agency goals, objectives and performance targets; agency-wide management support and coordination; budget formulation and execution; public affairs; Congressional relations; general counsel; and internal audit.

(1) **CHIEF FINANCIAL OFFICER.**—A Chief Financial Officer (CFO) will be established for the effective and efficient management and accountability of Service resources. The CFO will coordinate budget formulation, execution and agency-wide financial management operations. To address the Service's diverse funding sources, the CFO will ensure sound agency-wide financial management systems and processes. The CFO will ensure that immigrant services and enforcement operations have clearly separated and defined resource streams.

(2) **STRATEGIC PLANNING AND STATISTICAL MEASURES.**—A director of the strategy unit will be responsible for policy formulation, developing the long-term strategy for the Service and facilitating the process of designing programs to execute that strategy. In consultation with the offices of Immigrant Services, Enforcement Operations and Shared Services. This office will create long-range strategic and performance measurement plans, in cooperation with relevant program components. In addition, this office will be responsible for establishing and strengthening Federal immigration statistical policy and measurement operations.

(c) The Office of Immigrant Services will be headed by an Executive Associate Commissioner (EAC), a Senior Executive who will report directly to the Office of the Commissioner. The EAC will be responsible for establishing an operational chain of command dedicated solely to immigration serv-

ices, focusing comprehensively on providing quality, timely and efficient services to the immigrant community and institutions requiring immigrant services. The EAC will be responsible for all aspects of INS service and benefit operations and the Office of Immigration Services will be organized around four functional goals:

- (1) Ensuring timely processing and courteous service for the immigrant community through nationally established customer service standards.
- (2) Providing efficient, accurate benefit processing from remote service centers, and service area operations.
- (3) Ensuring secure documents with uncompromising integrity.

(4) Serving the refugee and asylee population through humane and timely service and benefits. Additionally, the EAC is responsible for coordinating, with the Office of Shared Services, the effective acquisition and utilization of shared support items including information technology, financial management, facility construction, personnel and training. The responsibilities and duties of the EAC of Immigrant Services shall include:

(A) **SERVICE AREA OPERATIONS.**—Service area operations will be located in immigrant communities around the United States. The EAC will develop and maintain performance measures to ensure that offices within each area provide efficient and consistent service, while maintaining the integrity of application processing. These offices will provide a variety of services to applicants, including fingerprinting, photographing, and interviewing applicants. Some offices will be configured as full-service offices and others will serve as satellite locations. All will have a standard appearance with customer-oriented features.

(B) **SERVICE CENTER OPERATIONS.**—Service center operations will include centralized automated processing and adjudication for applications and petitions that do not require immigrant interviews. In addition, the service centers will provide front-end fee receipt, data entry and scheduling for applications and petitions that require interviews.

The EAC will be responsible for the collection of all management reporting information relative to the service centers, for budget formulation and execution for the service center budgets, for ensuring the accuracy and quality control of the adjudication of benefits at the service centers, for all employee hiring and grievance issues at the centers and for monitoring, overseeing and executing the mail file and data entry operations. The EAC will also coordinate with the CFO on financial management.

(C) **TELEPHONE CENTER OPERATIONS.**—The Service will operate a coordinated telephone assistance system to respond to customer inquiries. The EAC will be responsible for designing and operating a telephone system that relies on all assets of the Service to ensure that customer inquiries are promptly and accurately addressed. This will include operating and maintaining the telephone centers, any contract call-answering facilities, and utilizing an overflow telephone call assistance capacity designed to access information officers at the service centers as needed.

(d) The Office of Enforcement Operations will be headed by an Executive Associate Commissioner (EAC), a Senior Executive who will report directly to the Office of the Commissioner. The EAC will be responsible for establishing an operational chain of command dedicated solely to immigration en-

forcement, focusing comprehensively on illegal immigration problems at the border and in the interior of the United States, and ensuring better linkages of enforcement operations through a single point of accountability for performance. The EAC will be responsible for all aspects of the Service's enforcement and border management operations including international enforcement efforts and will be organized around 4 functional goals: managing by the Border Patrol of the border between ports-of-entry; conducting inspections and managing all port of entry operations; overseeing investigations and removals; and coordinating and managing detention and enforcement support. Additionally, the EAC is responsible for coordinating, with the Office of Shared Services, the effective acquisition and utilization of shared support items including information technology, financial management, facility construction, personnel and training. The responsibilities and duties of the EAC will include:

(1) **BORDER MANAGEMENT.**—By placing both Border Patrol and Inspection activities under a single EAC, the Service will be able to provide seamless border enforcement along the Nation's borders, and will be better able to coordinate operations with other Federal and governmental agencies along the border.

(A) The Border Patrol will perform its current border management and control functions of deterring illegal immigration and apprehending illegal aliens between ports of entry. In addition, the Border Patrol will continue to work with Federal, State, and local law enforcement agencies to effectively administer laws related to the interdiction of drug trafficking activities.

(B) Port of Entry management is a key component of border management due to the interrelationship between activities at and between land border ports of entry. The EAC will be operationally responsible for carrying out these duties in compliance with applicable law and policy and will be responsible for effectively monitoring resource utilization and maintaining accurate performance measures for these activities.

(2) **INTERIOR ENFORCEMENT AND REMOVALS.**—The EAC will be responsible for consolidating investigations, intelligence and deportation functions into one coordinated multidisciplinary component to focus on illegal alien removals and to vigorously combat immigration document fraud, smuggling, and illegal employment in the workplace. This consolidated approach will ensure swift and proper apprehension, incarceration, and removal of those illegally residing and working in this country.

(3) **DETENTION AND ENFORCEMENT SUPPORT.**—The EAC will be responsible for ensuring logistical coordination for the incarceration and transportation of criminal and illegal aliens. The director will be responsible for effectively managing the Service's bed space at both Service-owned and contract detention facilities. Additionally, the director will be responsible for effectively acquiring bed space from State and local entities to ensure the Service can detain and transport individuals it apprehends.

(e) The Office of Shared Services will be headed by an Executive Associate Commissioner (EAC), a Senior Executive who will report directly to the Office of the Commissioner. The EAC will be responsible for establishing an operational chain of command dedicated to meeting the support requirements for both the enforcement and service operational components. The EAC will be responsible for the effective provision of

shared administrative and support services to ensure that each side of the agency has the appropriate administrative and technological tools to do its jobs in the most effective and cost-efficient way. The EAC will accomplish this through 4 functional goals: establishing and maintaining a records management system that accurately and efficiently documents immigration status; ensuring information and enforcement technology enhancements and initiatives are developed and maintained to operational component specifications; building and maintaining a superior recruiting, hiring and training operation to meet Service employment requirements; and building and managing a Service physical plant to adequately support agency housing needs. The EAC will also coordinate with the CFO on financial management. The responsibilities and duties of the EAC will include:

(1) **AUTOMATION AND TECHNOLOGY.**—The EAC will be responsible for ensuring that the Service establishes and maintains state-of-the-art information resources capability to carry out agency enforcement and service functions. The EAC will be responsible for deploying and monitoring technology and ensuring that the Service's workforce operates as effectively as possible with these tools. The EAC will also establish and promulgate agency-wide policy relative to the acquisition and deployment of technology capabilities in coordinating with the operational components of the Service.

(2) **CENTRALIZED RECORDS MANAGEMENT.**—The EAC will be responsible for maintaining a centralized repository for all Service records and will be responsible for establishing a greater level of data integrity in existing electronic records and managing the transition to an electronic records environment.

(3) **PERSONNEL AND TRAINING.**—The EAC will be responsible for tracking the hiring of all categories of Service personnel and ensuring that all employees receive proper training in a timely manner. Specialized training courses and a full spectrum of basic, advanced, and continuing education will be established to ensure a professional workforce.

(4) **ADMINISTRATIVE SUPPORT.**—The EAC will be responsible, in coordination with the operational components of the Service, for planning, constructing, and renovating all required Service facilities and equipment, including Border Patrol stations, detention facilities, Immigrant Services offices and general support office space. The EAC will also be responsible for logistics; procurement; and environmental, occupational and health activities of the Service.

#### SEC. 102. SAVINGS PROVISIONS.

(a) **LEGAL DOCUMENTS.**—All orders, determinations, rules, regulations, permits, grants, loans, contracts, agreements, certificates, licenses, and privileges—

(1) that have been issued, made, granted, or allowed to become effective by the President, the Attorney General, the Commissioner of the INS, or any other Government official, or by a court of competent jurisdiction, in the performance of any function that is transferred; and

(2) that are in effect on the effective date of such transfer (or become effective after such date pursuant to their terms as in effect on such effective date); shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, any other authorization official, a court of competent jurisdiction, or operation of law.

(b) **PROCEEDINGS.**—This Act shall not affect any proceedings including proceedings before the Executive Office for Immigration Review and any application for any benefits, service, license, permit, certificate, or financial assistance pending on the date of the enactment of this Act before an office whose functions are transferred by this Act, but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted, and orders issued in any such proceeding shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be considered to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(c) **SUITS.**—This Act shall not affect suits commenced before the date of enactment of this Act, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this Act had not been enacted.

(d) **NONABATEMENT OF ACTIONS.**—No suit, action, or other proceeding commenced by or against the Department of Justice or the Immigration and Naturalization Service, or by or against any individual in the official capacity of such individual as an officer or employee in connection with a function transferred by the Act, shall abate by reason of the enactment of this Act.

(e) **CONTINUANCE OF SUITS.**—If any Government officer in the official capacity of such officer is party to a suit with respect to a function of the officer, and under this Act such function is transferred to any other officer or office, then such suit shall be continued with the other officer or the head of such other office, as applicable, substituted or added as a party.

(f) **ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW.**—Except as otherwise provided by this Act, any statutory requirements relating to notice, hearings, action upon the record, or administrative or judicial review that apply to any function transferred by this Act shall apply to the exercise of such function by the head of the office, and other officers of the office, to which such function is transferred by this Act.

(g) **DEPARTMENT OF STATE.**—Nothing in this Act shall be construed to preclude or limit in any way the powers, authorities, or duties of special agents of the Department of State and the Foreign Service under section 2709 of title 22, United States Code, or of the Secretary of State under section 4801, et seq. of title 22, United States Code, to investigate illegal passport or visa issuance or use.

#### SEC. 103. COMMISSIONER COMPENSATION.

Effective as of the day following the date on which the present incumbent in the office of the Commissioner ceases to serve as such, the Commissioner of the Immigration and Naturalization Service shall receive compensation at the rate prescribed for level III of the Federal Executive Salary Schedule (section 5314 of title 5, United States Code).

### TITLE II—CONFORMING AMENDMENTS

#### SEC. 201. CONFORMING AMENDMENTS.

(a) Section 103(e)(2) of the INA, 8 U.S.C. section 1103(e)(2), is amended by striking "district office of the Service" and inserting "designated office of the Immigration and Naturalization Service".

(b) Section 242(b)(3)(A) of the INA, 8 U.S.C. section 1252(b)(3)(A), is amended by striking "Service district" and inserting "designated office of the Immigration and Naturalization Service".

(c) Section 316 of the INA, 8 U.S.C. section 1427, is amended—

(1) in subsection (a) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service"; and

(2) in subsection (f)(1) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service".

(d) Section 319 of the INA, 8 U.S.C. section 1430, is amended—

(1) in subsection (a) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service";

(2) in subsection (b)(3) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service";

(3) in subsection (c)(5) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service"; and

(4) in subsection (d) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service".

(e) Section 324 of the INA, 8 U.S.C. section 1435(a)(1), is amended by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service".

(f) Section 328 of the INA, 8 U.S.C. section 1439, is amended—

(1) in subsection (a) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service";

(2) in subsection (b)(1) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service"; and

(3) in subsection (c) by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service".

(g) Section 329(b)(2) of the INA, 8 U.S.C. 1440(b)(2), is amended by striking "district of the Service" and inserting "area serviced by the designated office of the Immigration and Naturalization Service".

(h) Section 335(f) of the INA, 8 U.S.C. section 1446(f), is amended by striking "district of the Service" each time the phrase appears and inserting "area serviced by the designated office of the Immigration and Naturalization Service".

(i) Section 338 of the INA, 8 U.S.C. section 1449, is amended by striking "district office of the Service" and inserting "designated office of the Immigration and Naturalization Service".

(j) Section 339(b) of the INA, 8 U.S.C. section 1450(b), is amended by striking "district office of the Service" and inserting "designated office of the Immigration and Naturalization Service".

(k) Section 404 of the INA, 8 U.S.C. section 1101, note, is amended—

(1) in subsection (b)(2)(A)(i) by striking "a district director of the Service" and inserting "a designated Immigration and Naturalization Service officer"; and

(2) in subsection (b)(2)(A)(iii) by striking "in a district" and inserting "in a designated office of the Immigration and Naturalization Service".



## ADDITIONAL COSPONSORS

S. 358

At the request of Mr. DEWINE, the names of the Senator from Maryland (Mr. SARBANES), the Senator from Nebraska (Mr. KERREY), and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 466

At the request of Mr. LAUTENBERG, the names of the Senator from Illinois (Ms. MOSELEY-BRAUN) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 466, a bill to reduce gun trafficking by prohibiting bulk purchases of handguns.

S. 852

At the request of Mr. LOTT, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 1251

At the request of Mr. D'AMATO, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1251, a bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity bonds which may be issued in each State, and to index such amount for inflation.

S. 1734

At the request of Mrs. HUTCHISON, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 1734, a bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes.

S. 1862

At the request of Mr. DEWINE, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 1862, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 1868

At the request of Mr. NICKLES, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1868, a bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted for their faith worldwide; to authorize United States actions in response to religious persecution worldwide; to establish an Ambassador at Large on International Religious Freedom within the Department of State, a

Commission on International Religious Persecution, and a Special Adviser on International Religious Freedom within the National Security Council; and for other purposes.

S. 1924

At the request of Mr. MACK, the names of the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Maine (Ms. COLLINS), and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1924, a bill to restore the standards used for determining whether technical workers are not employees as in effect before the Tax Reform Act of 1986.

S. 1993

At the request of Ms. COLLINS, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from North Dakota (Mr. DORGAN), and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 1993, a bill to amend title XVIII of the Social Security Act to adjust the formula used to determine costs limits for home health agencies under medicare program, and for other purposes.

S. 2152

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 2152, a bill to establish a program to provide credit and other assistance for encouraging microenterprises in developing countries, and for other purposes.

S. 2180

At the request of Mr. LOTT, the names of the Senator from New Jersey (Mr. TORRICELLI), the Senator from Kentucky (Mr. FORD), the Senator from Connecticut (Mr. DODD), and the Senator from Washington (Mr. GORTON) were added as cosponsors of S. 2180, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that Act for certain recycling transactions.

S. 2196

At the request of Mr. GORTON, the name of the Senator from Kentucky (Mr. FORD) was added as a cosponsor of S. 2196, a bill to amend the Public Health Service Act to provide for establishment at the National Heart, Lung, and Blood Institute of a program regarding lifesaving interventions for individuals who experience cardiac arrest, and for other purposes.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2216, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 2259

At the request of Mr. MURKOWSKI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cospon-

sor of S. 2259, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 2263

At the request of Mr. GORTON, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 2263, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Institutes of Health with respect to research on autism.

S. 2296

At the request of Mr. MACK, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 2296, a bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the amount of receipts attributable to military property which may be treated as exempt foreign trade income.

S. 2322

At the request of Mr. BREAU, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2322, a bill to amend the Internal Revenue Code of 1986 to change the determination of the 50,000-barrel refinery limitation on oil depletion deduction from a daily basis to an annual average daily basis.

S. 2352

At the request of Mr. ASHCROFT, the names of the Senator from Arizona (Mr. KYL), and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 2352, a bill to protect the privacy rights of patients.

S. 2417

At the request of Mr. SESSIONS, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 2417, a bill to provide for allowable catch quota for red snapper in the Gulf of Mexico, and for other purposes.

S. 2422

At the request of Mr. MACK, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2422, a bill to provide incentives for states to establish and administer periodic teacher testing and merit pay programs for elementary school and secondary teachers.

## SENATE RESOLUTION 257

At the request of Mr. MURKOWSKI, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of Senate Resolution 257, a resolution expressing the sense of the Senate that October 15, 1998, should be designated as "National Inhalant Abuse Awareness Day."

## NOTICE OF HEARING

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information

of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Wednesday, September 2, 1998, 9:30 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is Dr. Jane Henney to be Commissioner of Food and Drugs, Department of Health and Human Services. For further information, please call the committee, 202/224-5375.

#### ADDITIONAL STATEMENTS

##### EAST LANSING PUBLIC LIBRARY CELEBRATES 75TH ANNIVERSARY

• Mr. ABRAHAM. Madam President, I rise today to recognize a very special occasion in the state of Michigan. September 27, 1998 will mark the 75th Anniversary of the East Lansing Public Library in East Lansing, Michigan. This day is not only significant due to this celebration but also because it will mark the completion of a \$2 million addition and renovation project.

The history of the East Lansing Public Library is very interesting. It has grown from just a few shelves of books in a room provided by the People's Church and a fund of \$26 set up by the women of the Child Conservation League in 1923, to a 25,000 square foot building that serves over 125,000 visitors a year. All of the people who have helped this institution grow and prosper over the years should be commended for their efforts and dedication.

I extend my best wishes and congratulations to the East Lansing Public Library on this momentous occasion. The East Lansing community is fortunate to have such a wonderful library. I wish them all of the best in the future.●

##### EFFECTS OF THE FARM CRISIS ON OUR COMMUNITIES

• Mr. DORGAN. Madam President, I want to make some remarks on the subject of the farm crisis that exists in North Dakota and other parts of the country. North Dakota is faced with a combination of collapsed grain prices and crop disease. This has produced a farm crisis that is very, very serious and to which this Congress must respond.

In my home State of North Dakota, net farm income has dropped 98 percent in 1 year. That's right; a 98-percent drop in net farm income in 1 year. Ask yourself what would be the result for you, your neighbor, or your community, if you experienced a 98-percent drop in net income?

Many third and fourth generation farmers have been unable to get an operating loan this season due to low grain prices. They have had so many auction sales on North Dakota farms

that they have had to call retired auctioneers back from retirement to handle the auction sales. Every one of these auction sales represents a family farmer who has worked hard, and invested everything they have, to run a family farm. And then they discover they can't make it.

I'd like to share it with you a poem written by Luella F. Hermanson of Hampden, North Dakota. She describes what the farm crisis has done to her community and what it will do to ours unless we take decisive action.

WHEN THE FARMERS ALL SHUT DOWN  
(By Luella F. Hermanson of Hampden, North Dakota)

They're selling out my neighbor  
It's his auction sale today  
Life's hard out in the country  
We can't farm the good old way  
Remember neighbor helping neighbor  
It's not like that anymore  
We're hanging on by just our boot straps  
Wondering what we have in store  
What will our city cousins do  
When the farm boys move to town  
Will there be jobs for all of them  
When our farms are all shut down  
Who'll buy that big machinery  
Standing idle on the lots  
And the gas and parts and fuel oil  
They might have to close their shops  
Who'll buy the fertilizer  
and the spray to kill the weeds  
They'll probably close the diner  
There'll be no one left to feed  
There'll be no grain to borrow on  
So the bank will close its door  
The insurance boys will duck and run  
When we can't pay them anymore  
Who'll buy the tractors, plows and trucks  
Or plant the barley, beans and wheat  
Who'll pick the rocks and mow the roads  
And smile in dark defeat  
Who'll spend forty bucks an hour  
To fix a combine in the fall  
And his last red cent to save his land  
When his back's against the wall  
Yes they're selling out my neighbor  
Heard he's moving into town  
What will happen to this land we love  
When farmers all shut down.●

##### BUDGET SCOREKEEPING REPORT

• Mr. DOMENICI. Madam President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1998.

This report shows the effects of congressional action on the budget through July 28, 1998. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1998 Concurrent Resolution on the Budget (H. Con. Res. 84), show that current level spending is below the budget resolution by \$16.2 billion in budget au-

thority and above the budget resolution by \$1.9 billion in outlays. Current level is \$1.0 billion below the revenue floor in 1998 and \$3.0 billion above the revenue floor over the five years 1998-2002. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$176.4 billion, \$2.9 billion above the maximum deficit amount for 1998 of \$173.5 billion.

Since my last report, dated October 29, 1997, the Congress has cleared, and the President has signed the following authorization acts: National Defense (P.L. 105-85), Adoption and Safe Families (P.L. 105-89), Savings Are Vital to Everyone's Retirement (P.L. 105-92), Veterans' Benefits (P.L. 105-114), Food and Drug Modernization (P.L. 105-115), 50 States Commemorative Coin Program (P.L. 105-124), Hispanic Cultural Center (P.L. 105-127), Surface Transportation Extension (P.L. 105-130), Small Business Reauthorization (P.L. 105-135), Acquisition of Real Property for Library of Congress (P.L. 105-144), an act amending Sec. 13031 of COBRA of 1985 (P.L. 105-150), Transportation Equity Act for the 21st Century (P.L. 105-178), Care for Police Survivors Act of 1998, (P.L. 105-180), Agriculture Export Relief Act of 1998 (P.L. 105-194), and Internal Revenue Service Restructuring and Reform (P.L. 105-206). The President also signed the following 1998 appropriation bills: Agriculture (P.L. 105-86), Commerce, Justice, State (P.L. 105-119), District of Columbia (P.L. 105-100), Foreign Operations (P.L. 105-118), Interior (P.L. 105-83), Labor, HHS, and Education (P.L. 105-78), and 1998 Emergency Supplementals and Rescissions (P.L. 105-174). In addition, Congress has cleared for the President's signature the Homeowners Protection Act (S. 318). These actions changed the current level of budget authority, outlays and revenues.

In addition, the budget authority and outlay totals established in H. Con. Res. 84 have been revised to reflect adjustments made by the Budget Committee for continuing disability reviews, arrearages for international organizations, Federal land acquisitions, the International Monetary Fund (new arrangements to borrow), and the renewal of expiring contracts under section 8 housing assistance. Since my last letter, these changes have increased budget authority and outlays \$12,489 million and \$50 million, respectively.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 30, 1998.

HON. PETE V. DOMENICI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report for fiscal year 1998 shows the effects of Congressional action on the 1998 budget and is current through July 28, 1998. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions in the 1998 Concurrent



Resolution on the Budget (H. Con. Res. 84). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

Since my last report, dated October 28, 1997, the Congress has cleared, and the President has signed the following authorization acts: National Defense (P.L. 105-85), Adoption and Safe Families (P.L. 105-89), Savings Are Vital to Everyone's Retirement (P.L. 105-92), Veterans' Benefits (P.L. 105-114), Food and Drug Modernization (P.L. 105-115), 50 States Commemorative Coin Program (P.L. 105-124), Hispanic Cultural Center (P.L. 105-127), Surface Transportation Extension (P.L. 105-130), Small Business Reauthorization (P.L. 105-135), Acquisition of Real Property for Library of Congress (P.L. 105-144), an act amending Sec. 13031 of COBRA of 1985 (P.L. 105-150), Transportation Equity Act for the 21st Century (P.L. 105-178), Care for Police Survivors Act of 1998 (P.L. 105-180), Agriculture Export Relief Act of 1998 (P.L. 105-194), and Internal Revenue Service Restructuring and Reform (P.L. 105-206). The President also signed the following appropriation bills: Agriculture (P.L. 105-86), Commerce, Justice, State (P.L. 105-119), District of Co-

lumbia (P.L. 105-100), Foreign Operations (P.L. 105-118), Interior (P.L. 105-83), Labor, HHS, and Education (P.L. 105-78), and 1998 Emergency Supplementals and Rescissions (P.L. 105-174). In addition, Congress has cleared for the President's signature the Homeowners Protection Act (S. 318). These actions changed the current level of budget authority, outlays and revenues.

In addition, the budget authority and outlay totals established in H. Con. Res. 84 have been revised to reflect adjustments made by the Budget Committee for continuing disability reviews, arrearages for international organizations, Federal land acquisitions, the International Monetary Fund (new arrangements to borrow), and the renewal of expiring contracts under section 8 housing assistance. Since my last letter, these changes have increased budget authority and outlays \$12,489 million and \$50 million, respectively.

Sincerely,

JUNE E. O'NEILL,  
Director.

Enclosures.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1998, 105TH CONGRESS, 2ND SESSION, AS OF CLOSE OF BUSINESS JULY 28, 1998

(In billions of dollars)

	Budget resolution H. Con. Res. 84	Current level	Current level over/under resolution
<b>ON BUDGET</b>			
Budget Authority .....	1,403.4	1,387.2	-16.2
Outlays .....	1,372.5	1,374.4	1.9
Revenues:			
1998 .....	1,199.0	1,198.0	-1.0
1998-2002 .....	6,477.7	6,480.7	3.0
Deficit .....	173.5	176.4	2.9
Debt Subject to Limit .....	5,593.5	5,451.7	-141.8
<b>OFF-BUDGET</b>			
Social Security Outlays:			
1998 .....	317.6	317.6	0.0
1998-2002 .....	1,722.4	1,722.4	0.0
Social Security Revenues:			
1998 .....	402.8	402.7	-0.1
1998-2002 .....	2,212.1	2,212.3	0.2

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 105TH CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1998, AS OF CLOSE OF BUSINESS JULY 28, 1998

(In millions of dollars)

	Budget authority	Outlays	Revenues
<b>ENACTED IN PREVIOUS SESSIONS</b>			
Revenues .....			1,206,379
Permanents and other spending legislation .....	880,459	867,037	
Appropriation legislation .....		241,036	
Offsetting receipts .....	-211,291	-211,291	
Total previously enacted .....	669,168	896,782	1,206,379
<b>ENACTED FIRST SESSION</b>			
Authorization Acts:			
Balanced Budget Act of 1997 (P.L. 105-33) .....	1,525	477	267
Taxpayer Relief Act of 1997 (P.L. 105-34) .....			-9,281
Stamp Out Breast Cancer Act (P.L. 105-41) .....		3	14
Oklahoma City National Memorial Act of 1997 (P.L. 105-58) .....	-14	-159	
National Defense Authorization Act for 1998 (P.L. 105-85) .....	-159		
Adoption and Safe Families Act of 1997 (P.L. 105-89) .....	-3	-1	
Savings Are Vital to Everyone's Retirement Act of 1997 (P.L. 105-92) .....	1	1	1
Veterans' Benefits Act of 1997 (P.L. 105-114) .....	3	1	
Food and Drug Modernization Act of 1997 (P.L. 105-115) .....			(?)
50 States Commemorative Coin Program Act of 1997 (P.L. 105-124) .....		1	
Hispanic Cultural Center Act of 1997 (P.L. 105-127) .....	13	0	
Surface Transportation Extension Act of 1997 (P.L. 105-130) .....	29,586	65	
Small Business Reauthorization Act of 1997 (P.L. 105-135) .....	0	2	
Acquisition of Real Property for Library of Congress (P.L. 105-144) .....	5	3	5
Act amending Sec. 13031 of COBRA of 1985 (P.L. 105-150) .....	2	2	
Appropriation Acts:			
1997 Emergency Supplemental Appropriations (P.L. 105-18) .....	-350	-280	
Agriculture, Rural Development (P.L. 105-86) .....	49,047	41,511	
Commerce, Justice, State (P.L. 105-119) .....	31,744	21,242	
Defense (P.L. 105-56) .....	247,709	164,702	
District of Columbia (P.L. 105-100) .....	855	554	
Energy and Water Development (P.L. 105-62) .....	20,732	13,533	
Foreign Operations (P.L. 105-118) .....	13,191	5,082	
Interior and Related Agencies (P.L. 105-83) .....	13,841	9,091	
Labor, HHS, and Education (P.L. 105-78) .....	171,761	128,411	
Legislative Branch (P.L. 105-55) .....	2,251	2,023	
Military Construction (P.L. 105-45) .....	9,183	3,024	
Transportation (P.L. 105-66) .....	13,064	13,485	
Treasury and General Government (P.L. 105-61) .....	17,106	14,168	-4
Veterans, HUD (P.L. 105-65) .....	90,689	52,864	
Total enacted first session .....	711,811	469,805	-8,998
<b>ENACTED SECOND SESSION</b>			
1998 Emergency Supplemental Appropriations and Rescissions (P.L. 105-174) .....	-2,039	310	
Transportation Equity Act for the 21st Century (P.L. 105-178) .....	(?)	-440	
Care for Police Survivors Act of 1998 (P.L. 105-180) .....	1	1	
Agriculture Export relief Act of 1998 (P.L. 105-194) .....	7	7	
Internal Revenue Service Restructuring and Reform Act of 1998 (P.L. 105-206) .....	-15	-440	608
Total, enacted second session .....	-2,046	318	608
<b>PASSED PENDING SIGNATURE</b>			
Care for Police Survivors Act of 1998 (H.R. 3565) .....			
Total, passed pending signature .....	2	2	
<b>ENTITLEMENTS AND MANDATORIES</b>			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted .....	8,280	7,461	
<b>TOTALS</b>			
Total Current Level .....	1,387,215	1,374,368	1,197,989
Total Budget Resolution .....	1,403,402	1,372,512	1,199,000
Amount remaining:			
Under Budget Resolution .....	16,187		1,011

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 105TH CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1998, AS OF CLOSE OF BUSINESS

JULY 28, 1998—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
Over Budget Resolution .....		1,856	
ADDENDUM			
Emergencies .....	5,450	3,282	—8
Contingent Emergencies .....	479	91	
Total .....	6,019	3,373	—8
Total Current Level Including Emergencies .....	1,393,234	1,377,741	1,197,981

<sup>1</sup> The revenue effect of this act begins in fiscal year 1999.<sup>2</sup> The scoring of the budget authority for this act has not been completed.

Notes.—Amounts shown under "emergencies" represent funding for programs that have been deemed emergency requirements by the President and the Congress. Amounts shown under "contingent emergencies" represent funding designated as an emergency only by the Congress that is not available for obligation until it is requested by the President and the full amount requested is designated as an emergency requirement.

Current level estimates include \$390 million in budget authority and \$298 million in outlays for projects that were cancelled by the President pursuant to the Line Item Veto Act, P.L. 104-130.

Source: Congressional Budget Office.\*

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999

(The text of the bill, H.R. 4103, the Department of Defense Appropriations Act, 1999, as passed by the Senate on July 30, 1998, is as follows:)

*Resolved*, That the bill from the House of Representatives (H.R. 4103) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1999, for military functions administered by the Department of Defense, and for other purposes, namely:*

### TITLE I

#### MILITARY PERSONNEL MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$20,822,051,000.

#### MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$16,532,153,000.

#### MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for

payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$6,253,189,000.

#### MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$17,205,660,000.

#### RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$2,152,075,000.

#### RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$1,387,379,000.

#### RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States

Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$401,888,000.

#### RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$856,176,000.

#### NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$3,499,595,000.

#### NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$1,376,097,000.

### TITLE II

#### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

##### (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the



Army, as authorized by law; and not to exceed \$11,437,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; \$17,212,463,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That of the funds appropriated under this heading, \$130,000,000 shall be transferred to the Quality of Life Enhancements, Defense account in this Act and shall be available only for expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Department of the Army (including minor construction and major maintenance and repair of military housing and barracks): Provided further, That of the funds appropriated in this paragraph, not less than \$375,000,000 shall be made available only for conventional ammunition care and maintenance.

**OPERATION AND MAINTENANCE, NAVY  
(INCLUDING TRANSFER OF FUNDS)**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$5,360,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; \$21,813,315,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That of the funds appropriated under this heading, \$48,000,000 shall be transferred to the Quality of Life Enhancements, Defense account in this Act and shall be available only for expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Department of the Navy (including minor construction and major maintenance and repair of military housing and barracks).

**OPERATION AND MAINTENANCE, MARINE CORPS**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; \$2,576,190,000: Provided, That of the funds appropriated under this heading, \$36,000,000 shall be transferred to the Quality of Life Enhancements, Defense account in this Act and shall be available only for expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Marine Corps (including minor construction and major maintenance and repair of military housing and barracks).

**OPERATION AND MAINTENANCE, AIR FORCE  
(INCLUDING TRANSFER OF FUNDS)**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,968,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; \$19,064,941,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That of the funds appropriated under this heading, \$50,000,000 shall be transferred to the Quality of Life Enhancements, Defense account in this Act and shall be available only for expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Air Force (including minor construction and major maintenance and repair of military housing and barracks): Provided further, That out of the funds

available under this heading, \$300,000 may be available for the abatement of hazardous substances in housing at the Finley Air Force Station, Finley, North Dakota.

**OPERATION AND MAINTENANCE, DEFENSE-WIDE**

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; \$10,259,231,000, of which not to exceed \$25,000,000 may be available for the CINC initiative fund account; and of which not to exceed \$29,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided, That of the funds appropriated under this heading, \$10,000,000 shall be made available only for use in federally owned educational facilities located on military installations for the purpose of transferring title of such facilities to the local educational facilities.

**OPERATION AND MAINTENANCE, ARMY RESERVE**

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$1,202,622,000.

**OPERATION AND MAINTENANCE, NAVY RESERVE**

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$928,639,000.

**OPERATION AND MAINTENANCE, MARINE CORPS RESERVE**

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$114,593,000.

**OPERATION AND MAINTENANCE, AIR FORCE RESERVE**

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$1,744,696,000.

**OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD**

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment

(including aircraft); \$2,661,815,000: Provided, That not later than March 15, 1999, the Director of the Army National Guard shall provide a report to the congressional defense committees identifying the allocation, by installation and activity, of all base operations funds appropriated under this heading.

**OPERATION AND MAINTENANCE, AIR NATIONAL GUARD**

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things, hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; \$3,113,933,000.

**OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND**

**(INCLUDING TRANSFER OF FUNDS)**

For expenses directly relating to Overseas Contingency Operations by United States military forces; \$746,900,000: Provided, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title, and working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained elsewhere in this Act.

**UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES**

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces; \$7,324,000, of which not to exceed \$2,500 can be used for official representation purposes.

**ENVIRONMENTAL RESTORATION, ARMY**

**(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Army, \$370,640,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That not more than twenty-five per centum of funds provided under this heading may be obligated for environmental remediation by the Corps of Engineers under total environmental remediation contracts.

**ENVIRONMENTAL RESTORATION, NAVY**

**(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Navy, \$274,600,000, to remain available until transferred: Provided,

That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

**ENVIRONMENTAL RESTORATION, AIR FORCE**  
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$372,100,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

**ENVIRONMENTAL RESTORATION, DEFENSE-WIDE**  
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$23,091,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

**ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES**  
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$225,000,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

**OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID**

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the

Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2547, and 2551 of title 10, United States Code); \$50,000,000, to remain available until September 30, 2000.

**FORMER SOVIET UNION THREAT REDUCTION**

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise; \$440,400,000, to remain available until September 30, 2001: Provided, That of the amounts provided under this heading, \$35,000,000 shall be available only to support the dismantling and disposal of nuclear submarines and submarine reactor components in the Russian Far East.

**QUALITY OF LIFE ENHANCEMENTS, DEFENSE**  
(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Department of Defense (including military housing and barracks); \$264,000,000 shall be derived by transfer from the Operation and Maintenance accounts, for the maintenance of real property of the Department of Defense (including minor construction and major maintenance and repair), which shall remain available for obligation until September 30, 2000.

**PENTAGON RENOVATION TRANSFER FUND**  
(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, resulting from the Department of Defense renovation of the Pentagon Reservation; \$279,820,000 derived by transfer from the Operation and Maintenance accounts, for the renovation of the Pentagon Reservation, which shall remain available for obligation until September 30, 2000, as follows:

Army, \$96,000,000;  
Navy, \$32,087,000;  
Marine Corps, \$9,513,000;  
Air Force, \$52,200,000; and  
Defense-Wide, \$90,020,000.

**MORALE, WELFARE AND RECREATION AND PERSONNEL SUPPORT FOR CONTINGENCY DEPLOYMENTS**

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, to provide necessary morale, welfare and recreation support, family support, and to sustain necessary retention and re-enlistment of military personnel in critical military occupational specialties, resulting from the deployment of military personnel to Bosnia and Southwest Asia; \$50,000,000 to remain available until expended: Provided, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts for the military services: Provided further, That the funds transferred shall be available only for the purposes as described under this heading: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained elsewhere in this Act.

**TITLE III**  
**PROCUREMENT**

**AIRCRAFT PROCUREMENT, ARMY**

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories

therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,408,652,000, to remain available for obligation until September 30, 2001.

**MISSILE PROCUREMENT, ARMY**

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,188,739,000, to remain available for obligation until September 30, 2001.

**PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY**

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,484,055,000, to remain available for obligation until September 30, 2001.

**PROCUREMENT OF AMMUNITION, ARMY**

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$998,655,000, to remain available for obligation until September 30, 2001.

**OTHER PROCUREMENT, ARMY**

For construction, procurement, production, and modification of vehicles, including tactical and non-tracked combat vehicles and the lease of support vehicles; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances,



and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$3,395,729,000, to remain available for obligation until September 30, 2001.

#### AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$7,473,403,000, to remain available for obligation until September 30, 2001.

#### WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$1,324,045,000, to remain available for obligation until September 30, 2001.

#### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$488,939,000, to remain available for obligation until September 30, 2001.

#### SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

NSSN, \$1,498,165,000;  
 NSSN (AP), \$504,736,000;  
 CVN-77 (AP), \$124,515,000;  
 CVN Refuelings (AP), \$274,980,000;  
 DDG-51 destroyer program, \$2,672,078,000;  
 DDG-51 destroyer program (AP), \$7,396,000;  
 LPD-17 amphibious transport dock ship, \$638,780,000;  
 LHD-8 (AP), \$50,000,000;  
 Oceanographic ship program, \$60,341,000;  
 LCAC landing craft air cushion program, \$16,000,000; and

For craft, outfitting, post delivery, conversions, and first destination transportation, \$220,281,000;

In all: \$6,067,272,000, to remain available for obligation until September 30, 2003: Provided, That additional obligations may be incurred after September 30, 2003, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

#### OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); lease of passenger motor vehicles; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$3,886,475,000, to remain available for obligation until September 30, 2001.

#### PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; lease of passenger motor vehicles; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; \$954,177,000, to remain available for obligation until September 30, 2001.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, lease, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; \$7,967,023,000, to remain available for obligation until September 30, 2001.

#### MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-

owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; \$2,219,299,000, to remain available for obligation until September 30, 2001.

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$384,161,000, to remain available for obligation until September 30, 2001.

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$6,904,164,000, to remain available for obligation until September 30, 2001.

#### PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the lease of passenger motor vehicles; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$1,932,250,000, to remain available for obligation until September 30, 2001.

#### NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces; \$500,000,000, to remain available for obligation until September 30, 2001: Provided, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

#### TITLE IV

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; \$4,891,640,000, to remain available for obligation until September 30, 2000.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; \$8,215,519,000, to remain available for obligation until September 30, 2000.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; \$13,693,153,000, to remain available for obligation until September 30, 2000.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment; \$9,032,908,000, to remain available for obligation until September 30, 2000: Provided, That of the funds appropriated under this heading, \$12,000,000 shall be available only to continue development of electric and hybrid-electric vehicles.

## DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; \$249,106,000, to remain available for obligation until September 30, 2000.

## OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; \$25,245,000, to remain available for obligation until September 30, 2000.

## TITLE V

## REVOLVING AND MANAGEMENT FUNDS

## DEFENSE WORKING CAPITAL FUNDS

## (INCLUDING TRANSFER OF FUNDS)

For the Defense Working Capital Funds; \$94,500,000.

## NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744); \$669,566,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is, engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary

of the military department responsible for such procurement may waive these restrictions on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

## TITLE VI

## OTHER DEPARTMENT OF DEFENSE PROGRAMS

## DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; \$10,337,322,000, of which \$9,684,935,000 shall be for Operation and maintenance, of which not to exceed two per centum shall remain available until September 30, 1999, of which \$402,387,000, to remain available for obligation until September 30, 2001, shall be for Procurement, and of which \$250,000,000, to remain available for obligation until September 30, 2000, shall be for Research, development, test and evaluation: Provided, That, of the funds available under this heading, \$3,000,000 shall be available for research and surveillance activities relating to Lyme disease and other tick-borne diseases.

## CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$780,150,000, of which \$491,700,000 shall be for Operation and maintenance, \$115,670,000 shall be for Procurement to remain available until September 30, 2001, and \$172,780,000 shall be for Research, development, test and evaluation to remain available until September 30, 2000: Provided, That of the funds available under this heading, \$1,000,000 shall be available until expended each year only for a Johnston Atoll off-island leave program: Provided further, That the Secretaries concerned shall, pursuant to uniform regulations, prescribe travel and transportation allowances for travel by participants in the off-island leave program.

## DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

## (INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; \$742,582,000: Provided, That the funds appropriated under this head shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act.

## OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; \$132,064,000, of which \$130,764,000 shall be for Operation and maintenance, of which not to exceed \$500,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General,

and payments may be made on his certificate of necessity for confidential military purposes; and of which \$1,300,000, to remain available until September 30, 2001, shall be for Procurement.

## TITLE VII

## RELATED AGENCIES

## CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; \$201,500,000.

## INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account; \$134,623,000, of which \$39,011,000 for the Advanced Research and Development Committee and the Environmental Intelligence and Applications Program shall remain available until September 30, 2000: Provided, That of the funds appropriated under this heading, \$27,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, and of the said amount, \$1,500,000 for Procurement shall remain available until September 30, 2001, and \$3,000,000 for Research, development, test and evaluation shall remain available until September 30, 2000.

## PAYMENT TO KAHŌ'OLAWA ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION FUND

For payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund, as authorized by law; \$25,000,000, to remain available until expended.

## NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102-183, \$3,000,000, to be derived from the National Security Education Trust Fund, to remain available until expended.

## TITLE VIII

## GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be



obligated during the last two months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$1,775,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8008. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of

the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

E-2C aircraft;

Longbow Hellfire missile; and

Medium tactical vehicle replacement (MTVR).

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 1999, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2000 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2000 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2000.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8011. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the 50 United States, its territories, and the District of Columbia, 125,000 civilian workyears: Provided, That workyears shall be applied as defined in the Federal Personnel Manual: Provided further, That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8012. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on

any legislation or appropriation matters pending before the Congress.

SEC. 8013. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 3015(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: Provided, That in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: Provided further, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this subsection applies only to active components of the Army.

SEC. 8014. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 per centum Native American ownership.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured outside the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: Provided, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8018. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8019. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by executive agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: Provided, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: Provided further, That the Department of Defense's budget submission for fiscal year 2000 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host

nation through such credits: Provided further, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: Provided further, That each such executive agreement with a NATO member host nation shall be reported to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate 30 days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8020. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols.

SEC. 8021. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 per centum of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8022. A member of a reserve component whose unit or whose residence is located in a State which is not contiguous with another State is authorized to travel in a space required status on aircraft of the Armed Forces between home and place of inactive duty training, or place of duty in lieu of unit training assembly, when there is no road or railroad transportation (or combination of road and railroad transportation between those locations): Provided, That a member traveling in that status on a military aircraft pursuant to the authority provided in this section is not authorized to receive travel, transportation, or per diem allowances in connection with that travel.

SEC. 8023. (a) In addition to the funds provided elsewhere in this Act, \$8,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That contractors participating in the test program established by section 854 of Public Law 101-189 (15 U.S.C. 637 note) shall be eligible for the program established by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544).

(b) Section 8024 of the Department of Defense Appropriations Act (Public Law 105-56) is amended by striking out "That these payments" and all that follows through "Provided further,".

SEC. 8024. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5, United States Code, or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under sections 331, 332, 333, or 12406 of title 10, or other provision of law, as applicable; or

(B) full-time military service for his or her State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

Provided, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8025. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 48 months after initiation of such study for a multi-function activity.

SEC. 8026. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8027. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8028. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8029. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46-48).

SEC. 8030. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8031. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8032. Of the funds made available in this Act, not less than \$23,964,000 shall be available for the Civil Air Patrol, of which \$20,654,000 shall be available for operation and maintenance.

SEC. 8033. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FRDC), either as a new entity, or as a separate entity administrated by an organization



managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) **LIMITATION ON COMPENSATION—FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER (FFRDC).**—No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 1999 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 1999, not more than 6,206 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,105 staff years may be funded for the defense studies and analysis FFRDCs.

(e) Within 60 days after enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report presenting the specific amounts of staff years of technical effort to be allocated by the department for each defense FFRDC during fiscal year 1999: Provided, That, after the submission of the report required by this subsection, the department may not reallocate more than five per centum of an FFRDC's staff years among other defense FFRDCs until 30 days after a detailed justification for any such reallocation is submitted to the congressional defense committees.

(f) The Secretary of Defense shall, with the submission of the department's fiscal year 2000 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

SEC. 8034. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

SEC. 8035. For the purposes of this Act, the term "congressional defense committees" means the National Security Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on National Security of the Committee on Appropriations of the House of Representatives.

SEC. 8036. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8037. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1999. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8038. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

SEC. 8039. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: Provided, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: Provided further, That if lodging in kind is provided, any authorized service charge or cost of such lodging

may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8040. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies.

SEC. 8041. Notwithstanding any other provision of law, funds available for "Drug Interdiction and Counter-Drug Activities, Defense" may be obligated for the Young Marines program.

SEC. 8042. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act: Provided, That none of the funds made available for expenditure under this section may be transferred or obligated until thirty days after the Secretary of Defense submits a report which details the balance available in the Overseas Military Facility Investment Recovery Account, all projected income into the account during fiscal years 1999 and 2000, and the specific expenditures to be made using funds transferred from this account during fiscal year 1999.

SEC. 8043. Of the funds appropriated or otherwise made available by this Act, not more than \$119,200,000 shall be available for payment of the operating costs of NATO Headquarters: Provided, That the Secretary of Defense may waive this section for Department of Defense support provided to NATO forces in and around the former Yugoslavia.

SEC. 8044. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$100,000.

SEC. 8045. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2000 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2000 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2000 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8046. None of the funds provided in this Act and hereafter shall be available for use by a military department to modify an aircraft, weapon, ship or other item of equipment, that the military department concerned plans to retire or otherwise dispose of within 5 years after completion of the modification: Provided, That

this prohibition shall not apply to safety modifications: Provided further, That this prohibition may be waived by the Secretary of a military department if the Secretary determines it is in the best national security interest of the United States to provide such waiver and so notifies the congressional defense committees in writing.

SEC. 8047. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2000: Provided, That funds appropriated, transferred or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended.

SEC. 8048. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8049. Of the funds appropriated by the Department of Defense under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", not less than \$8,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8050. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986, and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8051. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8052. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that

American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8053. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work; or

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8054. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to field operating agencies funded within the National Foreign Intelligence Program.

SEC. 8055. Funds appropriated by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 1999 until the enactment of the Intelligence Authorization Act for Fiscal Year 1999.

SEC. 8056. Notwithstanding section 303 of Public Law 96-487 or any other provision of law, the Secretary of the Navy is authorized to lease real and personal property at Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C. 2667(f), for commercial, industrial or other purposes: Provided, That notwithstanding any other provision of law, the Secretary of the Navy may remove hazardous materials from facilities, buildings, and structures at Adak, Alaska, and may demolish or otherwise dispose of such facilities, buildings, and structures.

#### (RESCISSIONS)

SEC. 8057. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded as of the date of enactment of this Act from the following accounts in the specified amounts:

"Shipbuilding and Conversion, Navy, 1998/2002", \$25,000,000;

"Other Procurement, Army, 1998/2000", \$24,000,000;

"Aircraft Procurement, Air Force, 1998/2000", \$10,800,000; and

"Research, Development, Test and Evaluation, Defense-Wide, 1997/1998", \$10,000,000.

SEC. 8058. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8059. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8060. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: Provided, That during the performance of such duty, the members of the National Guard shall be under State command and control: Provided further, That such duty shall be treated as full-time National Guard duty for purposes of sections 12602(a)(2) and (b)(2) of title 10, United States Code.

SEC. 8061. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Foreign Intelligence Program (NFIP), the Joint Military Intelligence Program (JMIP) and the Tactical Intelligence and Related Activities (TIARA) aggregate: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8062. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 1997 level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8063. None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning, design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed \$1,118,000,000.

SEC. 8064. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

#### (TRANSFER OF FUNDS)

SEC. 8065. Appropriations available in this Act under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE" for increasing energy



and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8066. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8067. Notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa: Provided, That notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8068. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8069. Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8070. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year for construction or service performed in whole or in part in a State which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: Provided, That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8071. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8072. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8073. To the extent authorized by subchapter VI of chapter 148 of title 10, United States Code, the Secretary of Defense shall issue loan guarantees in support of United States defense exports not otherwise provided for: Provided, That the total contingent liability of the United States for guarantees issued under the authority of this section may not exceed \$15,000,000,000: Provided further, That the exposure fees charged and collected by the Secretary for each guarantee, shall be paid by the country involved and shall not be financed as part of a loan guaranteed by the United States: Provided further, That the Secretary shall provide quarterly reports to the Committees on Appropriations, Armed Services and Foreign Relations of the Senate and the Committees on Appropriations, National Security and International Relations in the House of Representatives on the implementation of this program: Provided further, That amounts charged for administrative fees and deposited to the special account provided for under section 2540(c)(d) of title 10, shall be available for paying the costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under subchapter VI of chapter 148 of title 10.

SEC. 8074. None of the funds available to the Department of Defense shall be obligated or expended to make a financial contribution to the United Nations for the cost of an United Nations peacekeeping activity (whether pursuant to assessment or a voluntary contribution) or for payment of any United States arrearage to the United Nations.

SEC. 8075. None of the funds available to the Department of Defense under this Act shall be

obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8076. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions or agents to the Johnston Atoll for the purpose of storing or demilitarizing such munitions or agents.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munition or agent of the United States found in the World War II Pacific Theater of Operations.

(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8077. None of the funds provided in title II of this Act for "Former Soviet Union Threat Reduction" may be obligated or expended to finance housing for any individual who was a member of the military forces of the Soviet Union or for any individual who is or was a member of the military forces of the Russian Federation.

SEC. 8078. During the current fiscal year, no more than \$15,000,000 of appropriations made in this Act under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8079. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "SHIPBUILDING AND CONVERSION, NAVY" shall be considered to be for the same purpose as any subdivision under the heading "SHIPBUILDING AND CONVERSION, NAVY" appropriations in any prior year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8080. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to

a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

(TRANSFER OF FUNDS)

SEC. 8081. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: Provided, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: Provided further, That the amounts shall be transferred between the following appropriations in the amount specified:

From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1991/2001":

DDG-51 destroyer program, \$1,500,000;  
LHD-1 amphibious assault ship program, \$7,500,000;

To:  
LSD-41 cargo variant ship program, \$1,227,000;

LCAC landing craft, air cushioned program, \$392,000;

MHC coastal minehunter program, \$2,400,000;

To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1991/2001":

SSN-21 attack submarine program, \$13,019,000;

From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1994/1998":

LHD-1 amphibious assault ship program, \$5,729,000;

To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1994/1998":

MCS(C) mine warfare command and control ship program, \$5,729,000;

From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1996/2000":

SSN-21 attack submarine program, \$26,526,000;

To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1991/2001":

SSN-21 attack submarine program, \$16,967,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1995/2001":

Carrier replacement program, \$3,007,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1996/2000":

Fast Patrol craft program, \$345,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1997/2000":

AGOR SWATH oceanographic research program, \$1,207,000;

From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1996/2000":

LHD-1 amphibious assault ship program, \$3,400,000;

To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1995/2001":

Carrier replacement program, \$3,400,000;

From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1998/2002":

CYN Refuelings, \$14,791,000;

To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1995/2001":

Carrier replacement program, \$14,791,000;

From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1998/2002":

DDG-51(AP) destroyer program, \$9,009,000;

To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1998/2002":

DDG-51 destroyer program, \$9,009,000.

SEC. 8082. The Under Secretary of Defense (Comptroller) shall submit to the congressional

defense committees by February 1, 1999, a detailed report identifying, by amount and by separate budget activity, activity group, subactivity group, line item, program element, program, project, subproject, and activity, any activity for which the fiscal year 2000 budget request was reduced because Congress appropriated funds above the President's budget request for that specific activity for fiscal year 1999.

SEC. 8083. Funds appropriated in title II of this Act for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: Provided, That for the purpose of this section, supervision and administration costs includes all in-house Government cost.

SEC. 8084. The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States: Provided, That costs for which reimbursement is waived pursuant to this subsection shall be paid from appropriations available for the Asia-Pacific Center.

SEC. 8085. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8086. During the current fiscal year, the amounts which are necessary for the operation and maintenance of the Fisher Houses administered by the Departments of the Army, the Navy, and the Air Force are hereby appropriated, to be derived from amounts which are available in the applicable Fisher House trust fund established under 10 U.S.C. 2221 for the Fisher Houses of each such department.

SEC. 8087. During the current fiscal year, refunds attributable to the use of the Government travel card by military personnel and civilian employees of the Department of Defense may be credited to operation and maintenance accounts of the Department of Defense which are current when the refunds are received.

SEC. 8088. During the current fiscal year, not more than a total of \$60,000,000 in withdrawal credits may be made by the Marine Corps Supply Management activity group of the Navy Working Capital Fund, Department of Defense Working Capital Funds, to the credit of current applicable appropriations of a Department of Defense activity in connection with the acquisition of critical low density repairables that are capitalized into the Navy Working Capital Fund.

SEC. 8089. Notwithstanding 31 U.S.C. 3902, during the current fiscal year interest penalties may be paid by the Department of Defense from funds financing the operation of the military department or defense agency with which the invoice or contract payment is associated.

SEC. 8090. At the time the President submits his budget for fiscal year 2000, the Department of Defense shall transmit to the congressional defense committees a budget justification document for the active and reserve Military Per-

sonnel accounts, to be known as the "M-1", which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel in any budget request, or amended budget request, for fiscal year 2000.

SEC. 8091. During the current fiscal year, the Secretary of Defense may award contracts for capital assets having a development or acquisition cost of not less than \$100,000 of a Working Capital Fund in advance of the availability of funds in the Working Capital Fund for minor construction, automatic data processing equipment, software, equipment, and other capital improvements.

SEC. 8092. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Foreign Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8093. The budget of the President for fiscal year 2000 submitted to Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include budget activity groups (known as "subactivities") in the operation and maintenance accounts of the military departments and other appropriation accounts, as may be necessary, to separately identify all costs incurred by the Department of Defense to support the expansion of the North Atlantic Treaty Organization. The budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2000, and subsequent fiscal years, shall provide complete, detailed estimates for the incremental costs of such expansion.

SEC. 8094. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of warships, ball and roller bearings, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, and 9404.

SEC. 8095. Notwithstanding 31 U.S.C. 1552(a), of the funds provided in Department of Defense



Appropriations Acts, not more than the specified amounts from the following accounts shall remain available for the payment of satellite on-orbit incentive fees until the fees are paid:

Missile Procurement, Air Force, 1995/1997, \$20,978,000;

Missile Procurement, Air Force, 1996/1998, \$16,782,400.

SEC. 8096. During fiscal year 1999, advance billing for services provided or work performed by the Working Capital Fund activities of the Department of the Air Force in excess of \$100,000,000 is prohibited.

SEC. 8097. Notwithstanding any other provision in this Act, the total amount appropriated in title II is hereby reduced by \$150,000,000 to reflect savings resulting from consolidations and personnel reductions as mandated in the Defense Reform Initiative.

SEC. 8098. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by \$400,600,000 to reflect savings from revised economic assumptions, to be distributed as follows:

Operation and Maintenance, Army, \$24,000,000;

Operation and Maintenance, Navy, \$32,000,000;

Operation and Maintenance, Marine Corps, \$4,000,000;

Operation and Maintenance, Air Force, \$31,000,000;

Operation and Maintenance, Defense-Wide, \$17,600,000;

Operation and Maintenance, Army Reserve, \$2,000,000;

Operation and Maintenance, Navy Reserve, \$2,000,000;

Operation and Maintenance, Air Force Reserve, \$2,000,000;

Operation and Maintenance, Army National Guard, \$4,000,000;

Operation and Maintenance, Air National Guard, \$4,000,000;

Drug Interdiction and Counter-Drug Activities, Defense, \$2,000,000;

Environmental Restoration, Army, \$1,000,000;

Environmental Restoration, Navy, \$1,000,000;

Environmental Restoration, Air Force, \$1,000,000;

Environmental Restoration, Defense-Wide, \$1,000,000;

Defense Health Program, \$36,000,000;

Aircraft Procurement, Army, \$4,000,000;

Missile Procurement, Army, \$4,000,000;

Procurement of Weapons and Tracked Combat Vehicles, Army, \$4,000,000;

Procurement of Ammunition, Army, \$3,000,000;

Other Procurement, Army, \$9,000,000;

Aircraft Procurement, Navy, \$22,000,000;

Weapons Procurement, Navy, \$4,000,000;

Procurement of Ammunition, Navy and Marine Corps, \$1,000,000;

Shipbuilding and Conversion, Navy, \$18,000,000;

Other Procurement, Navy, \$12,000,000;

Procurement, Marine Corps, \$2,000,000;

Aircraft Procurement, Air Force, \$23,000,000;

Missile Procurement, Air Force, \$7,000,000;

Procurement of Ammunition, Air Force, \$1,000,000;

Other Procurement, Air Force, \$17,500,000;

Procurement, Defense-Wide, \$5,800,000;

Chemical Agents and Munitions Destruction, Defense, \$3,000,000;

Research, Development, Test and Evaluation, Army, \$10,000,000;

Research, Development, Test and Evaluation, Navy, \$20,000,000;

Research, Development, Test and Evaluation, Air Force, \$39,000,000; and

Research, Development, Test and Evaluation, Defense-Wide, \$26,700,000.

Provided, That these reductions shall be applied proportionally to each budget activity, activity

group and subactivity group and each program, project, and activity within each appropriation account.

SEC. 8099. Notwithstanding any other provision of law, of the revenue collected by the Department of Defense Working Capital Funds, such amounts as may be required shall be made available for obligation and expenditure for indemnification of the leasing entity or entities to accomplish the lease of aircraft engines for C-135-type aircraft: Provided, That the funds made available pursuant to this section shall remain available until expended.

SEC. 8100. (a) The Secretary of the Navy is hereby authorized to transfer naval vessels on a sale or combined lease-sale basis in accordance with the text of Amendment No. 2449 intended to be proposed to the bill, S. 2057, 105th Congress, second session, as filed in the Senate on June 4, 1998.

(b) There is hereby established in the Treasury of the United States a special account to be known as the Defense Vessels Transfer Program Account. There is hereby appropriated into that account such sums as may be necessary for paying the costs (as defined in section 502 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 661a)) associated with the lease-sale transfers authorized under section (a). Funds in that account are available only for the purpose of covering those costs.

SEC. 8101. Amendment No. 2448 as submitted to the Senate and reported in the Congressional Record on June 4, 1998, is hereby enacted into law.

SEC. 8102. Amendment No. 2447 as submitted to the Senate and reported in the Congressional Record on June 4, 1998, is hereby enacted into law.

SEC. 8103. None of the funds made available by this Act shall be used by the Army to reduce civilian personnel workforce levels at United States Army, Pacific (USARPAC) bases and at Major Range and Test Facility Bases (MRTFBs) in the United States in fiscal year 1999 below levels assumed in this Act unless the Secretary of the Army notifies the Congressional defense committees not less than 30 days prior to implementation of any civilian personnel workforce reductions.

SEC. 8104. (a) In addition to funds provided under title I of this Act, the following amounts are hereby appropriated: for "MILITARY PERSONNEL, ARMY", \$58,000,000; for "MILITARY PERSONNEL, NAVY", \$43,000,000; for "MILITARY PERSONNEL, MARINE CORPS", \$14,000,000; for "MILITARY PERSONNEL, AIR FORCE", \$44,000,000; for "RESERVE PERSONNEL, ARMY", \$5,377,000; for "RESERVE PERSONNEL, NAVY", \$3,684,000; for "RESERVE PERSONNEL, MARINE CORPS", \$1,103,000; for "RESERVE PERSONNEL, AIR FORCE", \$1,000,000; for "NATIONAL GUARD PERSONNEL, ARMY", \$9,392,000; and for "NATIONAL GUARD PERSONNEL, AIR FORCE", \$4,112,000.

(b) Notwithstanding any other provision in this Act, the total amount available in this Act for "QUALITY OF LIFE ENHANCEMENTS, DEFENSE", real property maintenance is hereby decreased by reducing the total amounts appropriated in the following accounts: "OPERATION AND MAINTENANCE, ARMY", by \$58,000,000; "OPERATION AND MAINTENANCE, NAVY", by \$43,000,000; "OPERATION AND MAINTENANCE, MARINE CORPS", by \$14,000,000; and "OPERATION AND MAINTENANCE, AIR FORCE", by \$44,000,000.

(c) Notwithstanding any other provision in this Act, the total amount appropriated under the heading "NATIONAL GUARD AND RESERVE EQUIPMENT", is hereby reduced by \$24,668,000.

SEC. 8105. For an additional amount for "Overseas Contingency Operations Transfer Fund", \$1,858,600,000: Provided, That the Sec-

retary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, the defense health program appropriations and working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 8106. (a) None of the funds appropriated or otherwise made available under this Act may be obligated or expended for any deployment of forces of the Armed Forces of the United States to Yugoslavia, Albania, or Macedonia unless and until the President, after consultation with the Speaker of the House of Representatives, the Majority Leader of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate, transmits to Congress a report on the deployment that includes the following:

(1) The President's certification that the presence of those forces in each country to which the forces are to be deployed is necessary in the national security interests of the United States.

(2) The reasons why the deployment is in the national security interests of the United States.

(3) The number of United States military personnel to be deployed to each country.

(4) The mission and objectives of forces to be deployed.

(5) The expected schedule for accomplishing the objectives of the deployment.

(6) The exit strategy for United States forces engaged in the deployment.

(7) The costs associated with the deployment and the funding sources for paying those costs.

(8) The anticipated effects of the deployment on the morale, retention, and effectiveness of United States forces.

(b) Subsection (a) does not apply to a deployment of forces—

(1) in accordance with United Nations Security Council Resolution 795; or

(2) under circumstances determined by the President to be an emergency necessitating immediate deployment of the forces.

SEC. 8107. That of the amount available under Air National Guard, Operations and Maintenance for flying hours and related personnel support, \$2,250,000 shall be available for the Defense Systems Evaluation program for support of test and training operations at White Sands Missile Range, New Mexico, and Fort Bliss, Texas.

SEC. 8108. That of the funds appropriated for Defense-wide research, development, test and evaluation, \$1,000,000 is available for Acoustic Sensor Technology Development Planning.

SEC. 8109. (a) The Secretary of Defense shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on food stamp assistance for members of the Armed Forces. The Secretary shall submit the report at the same time that the Secretary submits to Congress, in support of the fiscal year 2000 budget, the materials that relate to the funding provided in that budget for the Department of Defense.

(b) The report shall include the following:

(1) The number of members of the Armed Forces and dependents of members of the Armed Forces who are eligible for food stamps.

(2) The number of members of the Armed Forces and dependents of members of the Armed Forces who received food stamps in fiscal year 1998.

(3) A proposal for using, as a means for eliminating or reducing significantly the need of such personnel for food stamps, the authority under section 2828 of title 10, United States Code, to lease housing facilities for enlisted members of the Armed Forces and their families when Government quarters are not available for such personnel.

(4) A proposal for increased locality adjustments through the basic allowance for housing and other methods as a means for eliminating or reducing significantly the need of such personnel for food stamps.

(5) Other potential alternative actions (including any recommended legislation) for eliminating or reducing significantly the need of such personnel for food stamps.

(6) A discussion of the potential for each alternative action referred to in paragraph (3) or (4) to result in the elimination or a significant reduction in the need of such personnel for food stamps.

(c) Each potential alternative action included in the report under paragraph (3) or (4) of subsection (b) shall meet the following requirements:

(1) Apply only to persons referred to in paragraph (1) of such subsection.

(2) Be limited in cost to the lowest amount feasible to achieve the objectives.

(d) In this section:

(1) The term "fiscal year 2000 budget" means the budget for fiscal year 2000 that the President submits to Congress under section 1105(a) of title 31, United States Code.

(2) The term "food stamps" means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

SEC. 8110. (a) The Comptroller General shall carry out a study of issues relating to family life, morale, and retention of members of the Armed Forces and, not later than June 25, 1999, submit the results of the study to the Committees on Appropriations of the Senate and the House of Representatives. The Comptroller General may submit to the committees an interim report on the matters described in paragraphs (1) and (2) of subsection (c). Any such interim report shall be submitted by February 12, 1999.

(b) In carrying out the study, the Comptroller General shall consult with experts on the subjects of the study who are independent of the Department of Defense.

(c) The study shall include the following matters:

(1) The conditions of the family lives of members of the Armed Forces and the members' needs regarding their family lives, including a discussion of each of the following:

(A) How leaders of the Department of Defense and leaders of each of the Armed Forces—

(i) collect, organize, validate, and assess information to determine those conditions and needs;

(ii) determine consistency and variations among the assessments and assessed information for each of the Armed Forces; and

(iii) use the information and assessments to address those conditions and needs.

(B) How the information on those conditions and needs compares with any corresponding information that is available on the conditions of the family lives of civilians in the United States and the needs of such civilians regarding their family lives.

(C) How the conditions of the family lives of members of each of the Armed Forces and the members' needs regarding their family lives compare with those of the members of each of the other Armed Forces.

(D) How the conditions and needs of the members compare or vary among members in relation to the pay grades of the members.

(E) How the conditions and needs of the members compare or vary among members in relation to the occupational specialties of the members.

(F) What, if any, effects high operating tempos of the Armed Forces have had on the family lives of members, including effects on the incidence of substance abuse, physical or emotional abuse of family members, and divorce.

(G) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(2) The rates of retention of members of the Armed Forces, including the following:

(A) The rates based on the latest information available when the report is prepared.

(B) Projected rates for future periods for which reasonably reliable projections can be made.

(C) An analysis of the rates under subparagraphs (A) and (B) for each of the Armed Forces, each pay grade, and each major occupational specialty.

(3) The relationships among the quality of the family lives of members of the Armed Forces, high operating tempos of the Armed Forces, and retention of the members in the Armed Forces, analyzed for each of the Armed Forces, each pay grade, and each occupational specialty, including, to the extent ascertainable and relevant to the analysis of the relationships, the reasons expressed by members of the Armed Forces for separating from the Armed Forces and the reasons expressed by the members of the Armed Forces for remaining in the Armed Forces.

(4) The programs and policies of the Department of Defense (including programs and policies specifically directed at quality of life) that have tended to improve, and those that have tended to degrade, the morale of members of the Armed Forces and members of their families, the retention of members of the Armed Forces, and the perceptions of members of the Armed Forces and members of their families regarding the quality of their lives.

(d) In this section, the term "major occupational specialty" means the aircraft pilot specialty and each other occupational specialty that the Comptroller General considers a major occupational specialty of the Armed Forces.

SEC. 8111. (a) Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be used to carry out any conveyance of land at the former Fort Sheridan, Illinois, unless such conveyance is consistent with a regional agreement among the communities and jurisdictions in the vicinity of Fort Sheridan and in accordance with section 2862 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104-106; 110 Stat. 573).

(b) The land referred to in subsection (a) is a parcel of real property including any improvements thereon, located at the former Fort Sheridan, Illinois, consisting of approximately 14 acres, and known as the northern Army Reserve enclave area, that is covered by the authority in section 2862 of the Military Construction Authorization Act for Fiscal Year 1996 and has not been conveyed pursuant to that authority as of the date of enactment of this Act.

SEC. 8112. (a) CONVEYANCE REQUIRED.—The Secretary of the Air Force shall convey, without consideration, to the Town of Newington, New Hampshire, all right, title, and interest of the United States in and to a parcel of real property, together with improvements thereon, consisting of approximately 1.3 acres located at former Pease Air Force Base, New Hampshire, and known as the site of the old Stone School.

(b) EXCEPTION FROM SCREENING REQUIREMENT.—The Secretary shall make the conveyance under subsection (a) without regard to the requirement under section 2696 of title 10, United States Code, that the property be screened for further Federal use in accordance with the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interest of the United States.

SEC. 8113. Of the amounts appropriated or otherwise made available for the Department of Defense by this Act, up to \$10,000,000 may be available for the Department of Defense share of environmental remediation and restoration activities at Defense Logistics Agency inventory location 429 (Macalloy site) in Charleston, South Carolina.

SEC. 8114. Of the funds provided under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", for Materials and Electronics Technology, \$2,000,000 shall be made available only for the Strategic Materials Manufacturing Facility project.

SEC. 8115. (a) Chapter 157 of title 10, United States Code, is amended by inserting after section 2641 the following:

**"§2641a. Transportation of American Samoa veterans on Department of Defense aircraft for certain medical care in Hawaii"**

"(a) TRANSPORTATION AUTHORIZED.—The Secretary of Defense may provide transportation on Department of Defense aircraft for the purpose of transporting any veteran specified in subsection (b) between American Samoa and the State of Hawaii if such transportation is required in order to provide hospital care to such veteran as described in that subsection.

"(b) VETERANS ELIGIBLE FOR TRANSPORT.—A veteran eligible for transport under subsection (a) is any veteran who—

"(1) resides in and is located in American Samoa; and

"(2) as determined by an official of the Department of Veterans Affairs designated for that purpose by the Secretary of Veterans Affairs, must be transported to the State of Hawaii in order to receive hospital care to which such veteran is entitled under chapter 17 of title 38 in facilities of such Department in the State of Hawaii.

"(c) ADMINISTRATION.—(1) Transportation may be provided to veterans under this section only on a space-available basis.

"(2) A charge may not be imposed on a veteran for transportation provided to the veteran under this section.

"(d) DEFINITIONS.—In this section:

"(1) The term 'veteran' has the meaning given that term in section 101(2) of title 38.

"(2) The term 'hospital care' has the meaning given that term in section 1701(5) of title 38."

(b) The table of sections at the beginning of chapter 157 of such title is amended by inserting after the item relating to section 2641 the following new item:

"2641a. Transportation of American Samoa veterans on Department of Defense aircraft for certain medical care in Hawaii."

SEC. 8116. Not later than December 1, 1998, the Secretary of Defense shall submit to the President and the Congressional Defense Committees a report regarding the potential for development of Ford Island within the Pearl Harbor Naval Complex, Oahu, Hawaii through an integrated resourcing plan incorporating both appropriated funds and one or more public-private ventures. This report shall consider innovative resource development measures, including but not limited



to, an enhanced-use leasing program similar to that of the Department of Veterans Affairs as well as the sale or other disposal of land in Hawaii under the control of the Navy as part of an overall program for Ford Island development. The report shall include proposed legislation for carrying out the measures recommended therein.

SEC. 8117. Within the amounts appropriated under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY", the amount available for S-3 Weapon System Improvement is hereby reduced by \$8,000,000: Provided, That within the amounts appropriated under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE", the amount available for a cyber-security program is hereby increased by \$8,000,000: Provided further, That the funds are made available for the cyber-security program to conduct research and development on issues relating to security information assurance and to facilitate the transition of information assurance technology to the defense community.

SEC. 8118. ADDITIONAL FUNDING FOR KOREAN WAR VETERANS MEMORIAL. Section 3 of Public Law 99-572 (40 U.S.C. 1003 note) is amended by adding at the end the following:

"(c) ADDITIONAL FUNDING.—

"(1) IN GENERAL.—In addition to amounts made available under subsections (a) and (b), the Secretary of the Army may expend, from any funds available to the Secretary on the date of enactment of this paragraph, \$2,000,000 for repair of the memorial.

"(2) DISPOSITION OF FUNDS RECEIVED FROM CLAIMS.—Any funds received by the Secretary of the Army as a result of any claim against a contractor in connection with construction of the memorial shall be deposited in the general fund of the Treasury."

SEC. 8119. Of the funds available under title VI for chemical agents and munitions destruction, Defense, for research and design, \$18,000,000 shall be made available for the program manager for the Assembled Chemical Weapons Assessment (under section 8065 of the Department of Defense Appropriations Act, 1997) for demonstrations of technologies under the Assembled Chemical Weapons Assessment, for planning and preparation to proceed from demonstration of an alternative technology immediately into the development of a pilot-scale facility for the technology, and for the design, construction, and operation of a pilot facility for the technology.

SEC. 8120. (a) The Secretary of the Navy may lease to the University of Central Florida (in this section referred to as the "University"), or a representative or agent of the University designated by the University, such portion of the property known as the Naval Air Warfare Center, Training Systems Division, Orlando, Florida, as the Secretary considers appropriate as a location for the establishment of a center for research in the fields of law enforcement, public safety, civil defense, and national defense.

(b) Notwithstanding any other provision of law, the term of the lease under subsection (a) may not exceed 50 years.

(c) As consideration for the lease under subsection (a), the University shall—

(1) undertake and incur the cost of the planning, design, and construction required to establish the center referred to in that subsection; and

(2) during the term of the lease, provide the Secretary such space in the center for activities of the Navy as the Secretary and the University jointly consider appropriate.

(d) The Secretary may require such additional terms and conditions in connection with the lease authorized by subsection (a) as the Secretary considers appropriate to protect the interest of the United States.

SEC. 8121. Funds appropriated under O&M Navy are available for a vessel scrapping pilot program which the Secretary of the Navy may carry out during fiscal year 1999 and (notwithstanding the expiration of authority to obligate funds appropriated under this heading) fiscal year 2000, and for which the Secretary may define the program scope as that which the Secretary determines sufficient for gathering data on the cost of scrapping Government vessels and for demonstrating cost effective technologies and techniques to scrap such vessels in a manner that is protective of worker safety and health and the environment.

SEC. 8122. The Department of Defense shall, in allocating funds for the Next Generation Internet (NGI) initiative, give full consideration to the allocation of funds to the regional partnerships that will best leverage Department investments in the Department of Defense Major Shared Resource Centers and centers with supercomputers purchased using Department of Defense RDT&E funds, including the high performance networks associated with such centers.

SEC. 8123. From within the funds provided, with the heading "OPERATIONS AND MAINTENANCE, ARMY", up to \$500,000 shall be available for paying subcontractors and suppliers for work performed at Fort Wainwright, Alaska, in 1994, under Army services contract number DACA85-93-C-0065.

SEC. 8124. Of the funds provided under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", for Industrial Preparedness, \$2,000,000 shall be made available only for the Electronic Circuit Board Manufacturing Development Center.

SEC. 8125. COMMISSION TO ASSESS THE ORGANIZATION OF THE FEDERAL GOVERNMENT TO COMBAT THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION. The Combatting Proliferation of Weapons of Mass Destruction Act of 1996 (as contained in Public Law 104-293) is amended—

(1) in section 711(b), in the text above paragraph (1), by striking "eight" and inserting "twelve";

(2) in section 711(b)(2), by striking "one" and inserting "three";

(3) in section 711(b)(4), by striking "one" and inserting "three";

(4) in section 711(e), by striking "on which all members of the Commission have been appointed" and inserting "on which the Department of Defense Appropriations Act, 1999, is enacted, regardless of whether all members of the Commission have been appointed"; and

(5) in section 712(c), by striking "Not later than 18 months after the date of enactment of this Act," and inserting "Not later than June 15, 1999,".

SEC. 8126. Of the funds provided under title III of this Act under the heading "OTHER PROCUREMENT, ARMY", for Training Devices, \$4,000,000 shall be made available only for procurement of Multiple Integrated Laser Engagement System (MILES) equipment to support Department of Defense Cope Thunder exercises.

SEC. 8127. Within the amounts appropriated under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", the amount available for Joint Tactical Radio is hereby reduced by \$10,981,000, and the amount available for Army Data Distribution System development is hereby increased by \$10,981,000.

SEC. 8128. Of the funds provided under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", for Digitization, \$2,000,000 shall be made available only for the Digital Intelligence Situation Mapboard (DISM).

SEC. 8129. Of the funds available for the Navy for research, development, test, and evaluation

under title IV, \$5,000,000 shall be available for the Shortstop Electronic Protection System.

SEC. 8130. (a) Subsection (a)(3) of section 112 of title 32, United States Code, is amended by striking out "and leasing of equipment" and inserting in lieu thereof "and equipment, and the leasing of equipment,".

(b) Subsection (b)(2) of such section is amended to read as follows:

"(2)(A) A member of the National Guard serving on full-time National Guard duty under orders authorized under paragraph (1) shall participate in the training required under section 502(a) of this title in addition to the duty performed for the purpose authorized under that paragraph. The pay, allowances, and other benefits of the member while participating in the training shall be the same as those to which the member is entitled while performing duty for the purpose of carrying out drug interdiction and counter-drug activities.

"(B) Appropriations available for the Department of Defense for drug interdiction and counter-drug activities may be used for paying costs associated with a member's participation in training described in subparagraph (A). The appropriation shall be reimbursed in full, out of appropriations available for paying those costs, for the amounts paid. Appropriations available for paying those costs shall be available for making the reimbursements."

(c) Subsection (b)(3) of such section is amended to read as follows:

"(2) A unit or member of the National Guard of a State may be used, pursuant to a State drug interdiction and counter-drug activities plan approved by the Secretary of Defense under this section, to provide services or other assistance (other than air transportation) to an organization eligible to receive services under section 508 of this title if—

"(A) the State drug interdiction and counter-drug activities plan specifically recognizes the organization as being eligible to receive the services or assistance;

"(B) in the case of services, the provision of the services meets the requirements of paragraphs (1) and (2) of subsection (a) of section 508 of this title; and

"(C) the services or assistance is authorized under subsection (b) or (c) of such section or in the State drug interdiction and counter-drug activities plan."

(d) Subsection (i)(1) of such section is amended by inserting after "drug interdiction and counter-drug law enforcement activities" the following: ", including drug demand reduction activities,".

SEC. 8131. Of the amounts appropriated by title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", \$3,000,000 shall be available for advanced research relating to solid state dye lasers.

SEC. 8132. (a) The Secretary of the Air Force may enter into an agreement to lease from the City of Phoenix, Arizona, the parcel of real property described in subsection (b), together with improvements on the property, in consideration of annual rent not in excess of one dollar.

(b) The real property referred to in subsection (a) is a parcel, known as Auxiliary Field 3, that is located approximately 12 miles north of Luke Air Force Base, Arizona, in section 4 of township 3 north, range 1 west of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, is bounded on the north by Bell Road, on the east by Litchfield Road, on the south by Greenway Road, and on the west by agricultural land, and is composed of approximately 638 acres, more or less, the same property that was formerly an Air Force training and emergency field developed during World War II.

(c) The Secretary may require such additional terms and conditions in connection with the

lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 8133. Of the funds provided under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", up to \$1,300,000 may be made available only to integrate and evaluate enhanced, active and passive, passenger safety system for heavy tactical trucks.

SEC. 8134. Effective on June 30, 1999, section 8106(a) of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under section 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note), is amended—

(1) by striking out "not later than June 30, 1997," and inserting in lieu thereof "not later than June 30, 1999,"; and

(2) by striking out "\$1,000,000" and inserting in lieu thereof "\$500,000".

SEC. 8135. Of the total amount appropriated under title IV for research, development, test and evaluation, Defense-wide, for basic research, \$29,646,000 is available for research and development relating to Persian Gulf illnesses.

SEC. 8136. Within the amounts appropriated under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY", the amount available for Hard and Deeply Buried Target Defeat System is hereby reduced by \$9,827,000, and the amount available for Consolidated Training Systems Development is hereby increased by \$9,827,000.

SEC. 8137. (a) Not later than six months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing a comprehensive assessment of the TRICARE program.

(b) The assessment under subsection (a) shall include the following:

(1) A comparison of the health care benefits available under the health care options of the TRICARE program known as TRICARE Standard, TRICARE Prime, and TRICARE Extra with the health care benefits available under the health care plan of the Federal Employees Health Benefits program most similar to each such option that has the most subscribers as of the date of enactment of this Act, including—

(A) the types of health care services offered by each option and plan under comparison;

(B) the ceilings, if any, imposed on the amounts paid for covered services under each option and plan under comparison; and

(C) the timeliness of payments to physicians providing services under each option and plan under comparison.

(2) An assessment of the effect on the subscription choices made by potential subscribers to the TRICARE program of the Department of Defense policy to grant priority in the provision of health care services to subscribers to a particular option.

(3) An assessment whether or not the implementation of the TRICARE program has discouraged medicare-eligible individuals from obtaining health care services from military treatment facilities, including—

(A) an estimate of the number of such individuals discouraged from obtaining health care services from such facilities during the two-year period ending with the commencement of the implementation of the TRICARE program; and

(B) an estimate of the number of such individuals discouraged from obtaining health care services from such facilities during the two-year period following the commencement of the implementation of the TRICARE program.

(4) An assessment of any other matters that the Comptroller General considers appropriate for purposes of this section.

(c) In this section:

(1) The term "Federal Employees Health Benefits program" means the health benefits pro-

gram under chapter 89 of title 5, United States Code.

(2) The term "TRICARE program" has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 8138. (a) The Secretary of the Army and the Secretary of the Air Force may each enter into one or more multiyear leases of nontactical firefighting equipment, nontactical crash rescue equipment, or nontactical snow removal equipment. The period of a lease entered into under this section shall be for any period not in excess of 10 years. Any such lease shall provide that performance under the lease during the second and subsequent years of the contract is contingent upon the appropriation of funds and shall provide for a cancellation payment to be made to the lessor if such appropriations are not made.

(b) Lease payments made under subsection (a) shall be made from amounts provided in this or future appropriations Acts.

(c) This section is effective for all fiscal years beginning after September 30, 1998.

SEC. 8139. Of the amounts appropriated in this Act for the Defense Threat Reduction and Treaty Compliance Agency and for Operations and Maintenance, National Guard, \$1,500,000 shall be available to develop training materials and a curriculum for a Domestic Preparedness Sustainment Training Center at Pine Bluff Arsenal, Arkansas.

SEC. 8140. Of the funds provided under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", up to \$10,000,000 may be made available only for the efforts associated with building and demonstrating a deployable mobile large aerostat system platform.

SEC. 8141. That of the amounts available under this heading, \$150,000 shall be made available to the Bear Paw Development Council, Montana, for the management and conversion of the Havre Air Force Base and Training Site, Montana, for public benefit purposes, including public schools, housing for the homeless, and economic development.

SEC. 8142. (a) Section 4344(b) of title 10, United States Code, is amended—

(1) in the second sentence of paragraph (2), by striking out "except that the reimbursement rates may not be less than the cost to the United States of providing such instruction, including pay, allowances, and emoluments, to a cadet appointed from the United States"; and

(2) by striking out paragraph (3).

(b) Section 6957(b) of such title is amended—

(1) in the second sentence of paragraph (2), by striking out "except that the reimbursement rates may not be less than the cost to the United States of providing such instruction, including pay, allowances, and emoluments, to a midshipman appointed from the United States"; and

(2) by striking out paragraph (3).

(c) Section 9344(b) of such title is amended—

(1) in the second sentence of paragraph (2), by striking out "except that the reimbursement rates may not be less than the cost to the United States of providing such instruction, including pay, allowances, and emoluments, to a cadet appointed from the United States"; and

(2) by striking out paragraph (3).

SEC. 8143. Out of the funds available for the Department of Defense under title VI of this Act for chemical agents and munitions, Defense, or the unobligated balances of funds available for chemical agents and munitions destruction, Defense, under any other Act making appropriations for military functions administered by the Department of Defense for any fiscal year, the Secretary of Defense may use not more than \$25,000,000 for the Assembled Chemical Weapons Assessment to complete the demonstration of al-

ternatives to baseline incineration for the destruction of chemical agents and munitions and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. 1521 note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munitions destruction programs.

SEC. 8144. (a) FINDINGS.—The Senate finds that—

(1) child experts estimate that as many as 250,000 children under the age of 18 are currently serving in armed forces or armed groups in more than 30 countries around the world;

(2) contemporary armed conflict has caused the deaths of 2,000,000 minors in the last decade alone, and has left an estimated 6,000,000 children seriously injured or permanently disabled;

(3) children are uniquely vulnerable to military recruitment because of their emotional and physical immaturity, are easily manipulated, and can be drawn into violence that they are too young to resist or understand;

(4) children are most likely to become child soldiers if they are poor, separated from their families, displaced from their homes, living in a combat zone, or have limited access to education;

(5) orphans and refugees are particularly vulnerable to recruitment;

(6) one of the most egregious examples of the use of child soldiers is the abduction of some 10,000 children, some as young as 8 years of age, by the Lord's Resistance Army (in this section referred to as the "LRA") in northern Uganda;

(7) the Department of State's Country Reports on Human Rights Practices for 1997 reports that in Uganda the LRA kills, maims, and rapes large numbers of civilians, and forces abducted children into "virtual slavery as guards, concubines, and soldiers";

(8) children abducted by the LRA are forced to raid and loot villages, fight in the front line of battle against the Ugandan army and the Sudan People's Liberation Army (SPLA), serve as sexual slaves to rebel commanders, and participate in the killing of other children who try to escape;

(9) former LRA child captives report witnessing Sudanese government soldiers delivering food supplies, vehicles, ammunition, and arms to LRA base camps in government-controlled southern Sudan;

(10) children who manage to escape from LRA captivity have little access to trauma care and rehabilitation programs, and many find their families displaced, unlocatable, dead, or fearful of having their children return home;

(11) Graca Machel, the former United Nations expert on the impact of armed conflict on children, identified the immediate demobilization of all child soldiers as an urgent priority, and recommended the establishment through an optional protocol to the Convention on the Rights of the Child of 18 as the minimum age for recruitment and participation in armed forces; and

(12) the International Committee of the Red Cross, the United Nations Children's Fund (UNICEF), the United Nations High Commission on Refugees, and the United Nations High Commissioner on Human Rights, as well as many nongovernmental organizations, also support the establishment of 18 as the minimum age for military recruitment and participation in armed conflict.

(b) IN GENERAL.—The Senate hereby—

(1) deplores the global use of child soldiers and supports their immediate demobilization;



(2) condemns the abduction of Ugandan children by the LRA;

(3) calls on the Government of Sudan to use its influence with the LRA to secure the release of abducted children and to halt further abductions; and

(4) encourages the United States delegation not to block the drafting of an optional protocol to the Convention on the Rights of the Child that would establish 18 as the minimum age for participation in armed conflict.

(c) **SENSE OF THE SENATE.**—It is the sense of the Senate that the President and the Secretary of State should—

(1) support efforts to end the abduction of children by the LRA, secure their release, and facilitate their rehabilitation and reintegration into society;

(2) not block efforts to establish 18 as the minimum age for participation in conflict through an optional protocol to the Convention on the Rights of the Child; and

(3) provide greater support to United Nations agencies and nongovernmental organizations working for the rehabilitation and reintegration of former child soldiers into society.

SEC. 8145. Notwithstanding any other provision of law, the Secretary of Defense shall obligate the funds provided for Counterterrorism Technical Support in the Department of Defense Appropriations Act, 1998 (under title IV of Public Law 105-56) for the projects and in the amounts provided for in House Report 105-265 of the House of Representatives, One Hundred Fifth Congress, First Session: Provided, That the funds available for the Pulsed Fast Neutron Analysis Project should be executed through cooperation with the Office of National Drug Control Policy.

SEC. 8146. Of the funds provided under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY", up to \$1,000,000 may be made available only for the development and testing of alternate turbine engines for missiles.

SEC. 8147. **VOTING RIGHTS OF MILITARY PERSONNEL.** (a) **GUARANTEE OF RESIDENCY.**—Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 590 et seq.) is amended by adding at the end the following:

"SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

"(1) be deemed to have lost a residence or domicile in that State;

"(2) be deemed to have acquired a residence or domicile in any other State; or

"(3) be deemed to have become resident in or a resident of any other State.

"(b) in this section, the term 'State' includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia."

(b) **STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.**—(1) **REGISTRATION AND BALLOTING.**—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973f-1) is amended—

(A) by inserting "(a) **ELECTIONS FOR FEDERAL OFFICES.**—" before "Each State shall—"; and

(B) by adding at the end the following:

"(b) **ELECTIONS FOR STATE AND LOCAL OFFICES.**—Each State shall—

"(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and

"(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the applica-

tion is received by the appropriate State election official not less than 30 days before the election."

(2) **CONFORMING AMENDMENT.**—The heading for title I of such Act is amended by striking out "FOR FEDERAL OFFICE".

SEC. 8148. From amounts made available by this Act, up to \$10,000,000 may be available to convert the Eighth Regiment National Guard Armory into a Chicago Military Academy: Provided, That the Academy shall provide a 4 year college preparatory curriculum combined with a mandatory JROTC instruction program.

SEC. 8149. (a) The Air National Guard shall, during the period beginning on April 15, 1999, and ending on October 15, 1999, provide support at the Francis S. Gabreski Airport, Hampton, New York, for seasonal search and rescue mission requirements of the Coast Guard in the vicinity of Hampton, New York.

(b) The support provided under subsection (a) shall include access to and use of appropriate facilities at Francis S. Gabreski Airport, including runways, hangars, the operations center, and aircraft berthing and maintenance spaces.

(c)(1) The adjutant general of the National Guard of the State of New York and the Commandant of the Coast Guard shall enter into a memorandum of understanding regarding the support to be provided under subsection (a).

(2) Not later than December 1, 1998, the adjutant general and the Commandant shall jointly submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a copy of the memorandum of understanding entered into under paragraph (1).

SEC. 8150. (a) The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental equipment of the Department of Defense, at no cost to the Department of Defense, Indian health service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(b) Not later than March 15, 1999, the Secretary of Defense shall submit to Congress a report on the program, including the actions taken under the program.

SEC. 8151. (a) Not later than March 15, 1999, the Secretary of Defense shall submit to the Committees on Appropriations and on Armed Services of the Senate and the Committees on Appropriations and on National Security of the House of Representatives a report on the policies, practices, and experience of the uniformed services pertaining to the furnishing of dental care to dependents of members of the uniformed services on active duty who are 18 years of age and younger.

(b) The report shall include (1) the rates of usage of various types of dental services under the health care system of the uniformed services by the dependents, set forth in categories defined by the age and the gender of the dependents and by the rank of the members of the uniformed services who are the sponsors for those dependents, (2) an assessment of the feasibility of providing the dependents with dental benefits (including initial dental visits for children) that conform with the guidelines of the American Academy of Pediatric Dentistry regarding infant oral health care, and (3) an evaluation of the feasibility and potential effects of offering general anesthesia as a dental health care benefit available under TRICARE to the dependents.

SEC. 8152. (a) Of the total amount appropriated for the Army, the Army Reserve, and the Army National Guard under title I, \$1,700,000 may be available for taking the actions required under this section to eliminate the backlog of unpaid retired pay and to submit a report.

(b) The Secretary of the Army may take such actions as are necessary to eliminate, by Decem-

ber 31, 1998, the backlog of unpaid retired pay for members and former members of the Army (including members and former members of the Army Reserve and the Army National Guard).

(c) Not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the backlog of unpaid retired pay. The report shall include the following:

(1) The actions taken under subsection (b).

(2) The extent of the remaining backlog.

(3) A discussion of any additional actions that are necessary to ensure that retired pay is paid in a timely manner.

SEC. 8153. (a) The Secretary of Defense may take such actions as are necessary to ensure the elimination of the backlog of incomplete actions on requests of former members of the Armed Forces for replacement medals and replacements for other decorations that such personnel have earned in the military service of the United States.

(b)(1) The actions taken under subsection (a) may include, except as provided in paragraph (2), allocations of additional resources to improve relevant staffing levels at the Army Reserve Personnel Command, the Bureau of Naval Personnel, and the Air Force Personnel Center, allocations of Department of Defense resources to the National Archives and Records Administration, and any additional allocations of resources that the Secretary considers necessary to carry out subsection (a).

(2) An allocation of resources may be made under paragraph (1) only if and to the extent that the allocation does not detract from the performance of other personnel service and personnel support activities within the Department of Defense.

SEC. 8154. Beginning no later than 60 days after enactment, effective tobacco cessation products and counseling may be provided for members of the Armed Forces (including retired members), former members of the Armed Forces entitled to retired or retainer pay, and dependents of such members and former members, who are identified as likely to benefit from such assistance in a manner that does not impose costs upon the individual.

SEC. 8155. (a) Of the amounts appropriated by title II of this Act under the heading "OPERATION AND MAINTENANCE, MARINE CORPS", \$5,000,000 may be available for procurement of lightweight maintenance enclosures (LME).

(b) Of the amounts appropriated by title III of this Act under the heading "OTHER PROCUREMENT, ARMY", \$2,000,000 may be available for procurement of lightweight maintenance enclosures (LME).

SEC. 8156. Of the funds available for Drug Interdiction, up to \$8,500,000 may be made available to support restoration of enhanced counter-narcotics operations around the island of Hispaniola, for operation and maintenance for establishment of ground-based radar coverage at Guantanamo Bay Naval Base, Cuba, for procurement of 2 Schweizer observation/spray aircraft, and for upgrades for 3 UH-1H helicopters for Colombia.

SEC. 8157. (a) The Secretary of Defense shall study the policies, procedures, and practices of the military departments for protecting the confidentiality of communications between—

(1) a dependent of a member of the Armed Forces who—

(A) is a victim of sexual harassment, sexual assault, or intrafamily abuse; or

(B) has engaged in such misconduct; and

(2) a therapist, counselor, advocate, or other professional from whom the victim seeks professional services in connection with effects of such misconduct.

(b)(1) The Secretary of Defense shall prescribe in regulations the policies and procedures that

the Secretary considers necessary to provide the maximum possible protections for the confidentiality of communications described in subsection (a) relating to misconduct described in that subsection.

(2) The regulations shall provide the following:

(A) Complete confidentiality of the records of the communications of dependents of members of the Armed Forces.

(B) Characterization of the records under family advocacy programs of the Department of Defense as primary medical records for purposes of the protections from disclosure that are associated with primary medical records.

(C) Facilitated transfer of records under family advocacy programs in conjunction with changes of duty stations of persons to whom the records relate in order to provide for continuity in the furnishing of professional services.

(D) Adoption of standards of confidentiality and ethical standards that are consistent with standards issued by relevant professional associations.

(3) In prescribing the regulations, the Secretary shall consider the following:

(A) Any risk that the goals of advocacy and counseling programs for helping victims recover from adverse effects of misconduct will not be attained if there is no assurance that the records of the communications (including records of counseling sessions) will be kept confidential.

(B) The extent, if any, to which a victim's safety and privacy should be factors in determinations regarding—

(i) disclosure of the victim's identity to the public or the chain of command of a member of the Armed Forces alleged to have engaged in the misconduct toward the victim; or

(ii) any other action that facilitates such a disclosure without the consent of the victim.

(C) The eligibility for care and treatment in medical facilities of the uniformed services for any person having a uniformed services identification card (including a card indicating the status of a person as a dependent of a member of the uniformed services) that is valid for that person.

(D) The appropriateness of requiring that so-called Privacy Act statements be presented as a condition for proceeding with the furnishing of treatment or other services by professionals referred to in subsection (a).

(E) The appropriateness of adopting the same standards of confidentiality and ethical standards that have been issued by such professional associations as the American Psychiatric Association and the National Association of Social Workers.

(4) The regulations may not prohibit the disclosure of information to a Federal or State agency for a law enforcement or other governmental purpose.

(c) The Secretary of Defense shall consult with the Attorney General in carrying out this section.

(d) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the actions taken under this section. The report shall include a discussion of the results of the study under subsection (a) and the comprehensive discussion of the regulations prescribed under subsection (b).

SEC. 8158. (a) FINDINGS.—The Senate finds that—

(1) on the third of February a United States Marine Corps jet aircraft, flying a low-level training mission out of Aviano, Italy, flew below its prescribed altitude and severed the cables supporting a gondola at the Italian ski resort near Cavalese, resulting in the death of twenty civilians;

(2) the crew of the aircraft, facing criminal charges, is entitled to a speedy trial and is being provided that and all the other protections and advantages of the United States system of justice;

(3) the United States, to maintain its credibility and honor amongst its allies and all nations of the world, should make prompt reparations for an accident clearly caused by a United States military aircraft;

(4) a high-level delegation, including the United States Ambassador to Italy, recently visited Cavalese and, as a result, \$20,000,000 was promised to the people in Cavalese for their property damage and business losses;

(5) without our prompt action, these families continue to suffer financial agonies, our credibility in the European community continues to suffer, and our own citizens remain puzzled and angered by our lack of accountability;

(6) under the current arrangement we have with Italy in the context of our Status of Forces Agreement (SOFA), civil claims arising from the accident at Cavalese must be brought against the Government of Italy, in accordance with the laws and regulations of Italy, as if the armed forces of Italy had been responsible for the accident;

(7) under Italian law, every claimant for property damage, personal injury or wrongful death must file initially an administrative claim for damages with the Ministry of Defense in Rome which is expected to take 12–18 months, and, if the Ministry's offer in settlement is not acceptable, which it is not likely to be, the claimant must thereafter resort to the Italian court system, where civil cases for wrongful death are reported to take up to ten years to resolve;

(8) while under the SOFA process, the United States—as the “sending state”—will be responsible for 75 percent of any damages awarded, and the Government of Italy—as the “receiving state”—will be responsible for 25 percent, the United States has agreed to pay all damages awarded in this case.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should resolve the claims of the victims of the February 8, 1998 United States Marine Corps aircraft incident in Cavalese, Italy as quickly and fairly as possible.

SEC. 8159. TRAINING AND OTHER PROGRAMS.

(a) PROHIBITION.—None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that a member of such unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) MONITORING.—Not more than 90 days after enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall establish procedures to ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all information available to the Department of State relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) REPORT.—Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8160. (a) FINDINGS.—Congress makes the following findings:

(1) Since 1989—

(A) the national defense budget has been cut in half as a percentage of the gross domestic product;

(B) the national defense budget has been cut by over \$120,000,000,000 in real terms;

(C) the United States military force structure has been reduced by more than 30 percent;

(D) the Department of Defense's operations and maintenance accounts have been reduced by 40 percent;

(E) the Department of Defense's procurement funding has declined by more than 50 percent;

(F) United States military operational commitments have increased fourfold;

(G) the Army has reduced its ranks by over 630,000 soldiers and civilians, closed over 700 installations at home and overseas, and cut 10 divisions from its force structure;

(H) the Army has reduced its presence in Europe from 215,000 to 65,000 personnel;

(I) the Army has averaged 14 deployments every four years, increased significantly from the Cold War trend of one deployment every four years;

(J) the Air Force has downsized by nearly 40 percent, while experiencing a fourfold increase in operational commitments.

(2) In 1992, 37 percent of the Navy's fleet was deployed at any given time. Today that number is 57 percent; at its present rate, it will climb to 62 percent by 2005.

(3) The Navy Surface Warfare Officer community will fall short of its needs of a 40 percent increase in retention to meet requirements.

(4) The Air Force is 18 percent short of its retention goal for second-term airmen.

(5) The Air Force is more than 800 pilots short, and more than 70 percent eligible for retention bonuses have turned them down in favor of separation.

(6) The Army faces critical personnel shortages in combat units, forcing unit commanders to borrow troops from other units just to participate in training exercises.

(7) An Air Force F-16 squadron commander testified before the House National Security Committee that his unit was forced to borrow three aircraft and use cannibalized parts from four other F-16's in order to deploy to Southwest Asia.

(8) In 1997, the Army averaged 31,000 soldiers deployed away from their home station in support of military operations in 70 countries with the average deployment lasting 125 days.

(9) Critical shortfalls in meeting recruiting and retention goals is seriously affecting the ability of the Army to train and deploy. The Army reduced its recruiting goal for 1998 by 12,000 personnel.

(10) In fiscal year 1997, the Army fell short of its recruiting goal for critical infantry soldiers by almost 5,000. As of February 15, 1998, Army-wide shortages existed for 28 Army specialties. Many positions in squads and crews are left unfilled or minimally filled because personnel are diverted to work in key positions elsewhere.

(11) The Navy reports it will fall short of enlisted sailor recruitment for 1998 by 10,000.

(12) One in ten Air Force front-line units are not combat ready.

(13) Ten Air Force technical specialties, representing thousands of airmen, deployed away from their home station for longer than the Air Force standard 120-day mark in 1997.

(14) The Air Force fell short of its reenlistment rate for mid-career enlisted personnel by an average of six percent, with key war fighting career fields experiencing even larger drops in reenlistments.

(15) In 1997, United States Marines in the operating forces have deployed on more than 200



exercises, rotational deployments, or actual contingencies.

(16) United States Marine Corps maintenance forces are only able to maintain 92 percent ground equipment and 77 percent aviation equipment readiness rates due to excessive deployments of troops and equipment.

(17) The National Security Strategy of the United States assumes the ability of the United States Armed Forces to prevail in two major regional conflicts nearly simultaneously.

(18) To execute the National Security of the United States, the United States Army's five later-deploying divisions, which constitute almost half of the Army's active combat forces, are critical to the success of specific war plans.

(19) According to commanders in these divisions, the practice of under staffing squads and crews that are responsible for training, and assigning personnel to other units as fillers for exercises and operations, has become common and is degrading unit capability and readiness.

(20) In the aggregate, the Army's later-deploying divisions were assigned 93 percent of their authorized personnel at the beginning of fiscal year 1998. In one specific case, the 1st Armored Division was staffed at 94 percent in the aggregate; however, its combat support and service support specialties were filled at below 85 percent, and captains and majors were filled at 73 percent.

(21) At the 10th Infantry Division, only 138 of 162 infantry squads were fully or minimally filled, and 36 of the filled squads were unqualified. At the 1st Brigade of the 1st Infantry Division, only 56 percent of the authorized infantry soldiers for its Bradley Fighting Vehicles were assigned, and in the 2nd Brigade, 21 of 48 infantry squads had no personnel assigned.

(22) At the 3rd Brigade of the 1st Armored Division, only 16 of 116 M1A1 tanks had full crews and were qualified, and in one of the Brigade's two armor battalions, 14 of 58 tanks had no crewmembers assigned because the personnel were deployed to Bosnia.

(23) At the beginning of fiscal year 1998, the five later-deploying divisions critical to the execution of the United States National Security Strategy were short nearly 1,900 of the total 25,357 Non-Commissioned Officers authorized, and as of February 15, 1998, this shortage had grown to almost 2,200.

(24) Rotation of units to Bosnia is having a direct and negative impact on the ability of later-deploying divisions to maintain the training and readiness levels needed to execute their mission in a major regional conflict. Indications of this include:

(A) The reassignment by the Commander of the 3rd Brigade Combat Team of 63 soldiers within the brigade to serve in infantry squads of a deploying unit of 800 troops, stripping non-deploying infantry and armor units of maintenance personnel, and reassigning Non-Commissioned Officers and support personnel to the task force from throughout the brigade.

(B) Cancellation of gunnery exercises for at least two armor battalions in later-deploying divisions, causing 43 of 116 tank crews to lose their qualifications on the weapon system.

(C) Hiring of outside contract personnel by 1st Armored and 1st Infantry later-deploying divisions to perform routine maintenance.

(25) National Guard budget shortfalls compromise the Guard's readiness levels, capabilities, force structure, and end strength, putting the Guard's personnel, schools, training, full-time support, retention and recruitment, and morale at risk.

(26) The President's budget requests for the National Guard have been insufficient, notwithstanding the frequent calls on the Guard to handle wide-ranging tasks, including deployments in Bosnia, Iraq, Haiti, and Somalia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the readiness of United States military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions;

(2) the ongoing, open-ended commitment of United States forces to the peacekeeping mission in Bosnia is causing assigned and supporting units to compromise their principle wartime assignments;

(3) defense appropriations are not keeping pace with the expanding needs of the Armed Forces.

(c) REPORT REQUIREMENT.—Not later than June 1, 1999, the President shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report on the military readiness of the Armed Forces of the United States. The President shall include in the report a detailed discussion of the competition for resources service-by-service caused by the ongoing commitment to the peacekeeping operation in Bosnia, including in those units that are supporting but not directly deployed to Bosnia. The President shall specifically include in the report the following—

(1) an assessment of current force structure and its sufficiency to execute the National Security Strategy of the United States;

(2) an outline of the service-by-service force structure expected to be committed to a major regional contingency as envisioned in the National Security Strategy of the United States;

(3) a comparison of the force structures outlined in paragraph (2) with the service-by-service order of battle in Operation Desert Shield/Desert Storm, as a representative and recent major regional conflict;

(4) the force structure and defense appropriation increases that are necessary to execute the National Security Strategy of the United States assuming current projected ground force levels assigned to the peacekeeping mission in Bosnia are unchanged;

(5) a discussion of the United States ground force level in Bosnia that can be sustained without impacting the ability of the Armed Forces to execute the National Security Strategy of the United States, assuming no increases in force structure and defense appropriations during the period in which ground forces are assigned to Bosnia.

SEC. 8161. SENSE OF THE SENATE REGARDING PAYROLL TAX RELIEF. (a) FINDINGS.—The Senate finds the following:

(1) The payroll tax under the Federal Insurance Contributions Act (FICA) is the biggest, most regressive tax paid by working families.

(2) The payroll tax constitutes a 15.3 percent tax burden on the wages and self-employment income of each American, with 12.4 percent of the payroll tax used to pay social security benefits to current beneficiaries and 2.9 percent used to pay the medicare benefits of current beneficiaries.

(3) The amount of wages and self-employment income subject to the social security portion of the payroll tax is capped at \$68,400. Therefore, the lower a family's income, the more they pay in payroll tax as a percentage of income. The Congressional Budget Office has estimated that for those families who pay payroll taxes, 80 percent pay more in payroll taxes than in income taxes.

(4) In 1996, the median household income was \$35,492, and a family earning that amount and taking standard deductions and exemptions paid \$2,719 in Federal income tax, but lost \$5,430 in income to the payroll tax.

(5) Ownership of wealth is essential for everyone to have a shot at the American dream, but

the payroll tax is the principal burden to savings and wealth creation for working families.

(6) Since 1983, the payroll tax has been higher than necessary to pay current benefits.

(7) Since most of the payroll tax receipts are deposited in the social security trust funds, which masks the real amount of Government borrowing, those whom the payroll tax hits hardest, working families, have shouldered a disproportionate share of the Federal budget deficit reduction and, therefore, a disproportionate share of the creation of the Federal budget surplus.

(8) Over the next 10 years, the Federal Government will generate a budget surplus of \$1,550,000,000,000, and all but \$32,000,000,000 of that surplus will be generated by excess payroll taxes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) if Congress decides to provide tax relief, reducing the burden of payroll taxes should be a top priority; and

(2) Congress and the President should work to reduce this payroll tax burden on American families.

#### TITLE IX—MONITORING OF HUMAN RIGHTS ABUSES IN CHINA

SEC. 9001. SHORT TITLE. This title may be cited as the "Political Freedom in China Act of 1998".

SEC. 9002. FINDINGS. Congress makes the following findings:

(1) Congress concurs in the following conclusions of the United States State Department on human rights in the People's Republic of China in 1996:

(A) The People's Republic of China is "an authoritarian state" in which "citizens lack the freedom to peacefully express opposition to the party-led political system and the right to change their national leaders or form of government".

(B) The Government of the People's Republic of China has "continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms, stemming from the authorities' intolerance of dissent, fear of unrest, and the absence of inadequacy of laws protecting basic freedoms".

(C) "abuses include torture and mistreatment of prisoners, forced confessions, and arbitrary and incommunicado detention".

(D) "prison conditions remained harsh and the Government continued severe restrictions on freedom of speech, the press, assembly, association, religion, privacy, and worker rights".

(E) "although the Government denies that it holds political prisoners, the number of persons detained or serving sentences for 'counterrevolutionary crimes' or 'crimes against the state', or for peaceful political or religious activities are believed to number in the thousands".

(F) "nonapproved religious groups, including Protestant and Catholic groups . . . experienced intensified repression".

(G) "serious human rights abuses persist in minority areas, including Tibet, Xinjiang, and Inner Mongolia, and controls on religion and on other fundamental freedoms in these areas have also intensified".

(H) "overall in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No dissidents were known to be active at year's end".

(2) In addition to the State Department, credible independent human rights organizations have documented an increase in repression in China during 1995, and effective destruction of the dissident movement through the arrest and

sentencing of the few remaining pro-democracy and human rights activists not already in prison or exile.

(3) Among those were Li Hai, sentenced to 9 years in prison on December 18, 1996, for gathering information on the victims of the 1989 crackdown, which according to the court's verdict constituted "state secrets"; Liu Nianchun, an independent labor organizer, sentenced to 3 years of "re-education through labor" on July 4, 1996, due to his activities in connection with a petition campaign calling for human rights reforms; and Ngodrup Phuntsog, a Tibetan national, who was arrested in Tibet in 1987 immediately after he returned from a 2-year trip to India, where the Tibetan government in exile is located, and following a secret trial was convicted by the Government of the People's Republic of China of espionage on behalf of the "Ministry of Security of the Dalai clique".

(4) Many political prisoners are suffering from poor conditions and ill-treatment leading to serious medical and health problems, including—

(A) Gao Yu, a journalist sentenced to 6 years in prison in November 1994 and honored by UNESCO in May 1997, has a heart condition; and

(B) Chen Longde, a leading human rights advocate now serving a 3-year re-education through labor sentence imposed without trial in August 1995, has reportedly been subject to repeated beatings and electric shocks at a labor camp for refusing to confess his guilt.

(5) The People's Republic of China, as a member of the United Nations, is expected to abide by the provisions of the Universal Declaration of Human Rights.

(6) The People's Republic of China is a party to numerous international human rights conventions, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

SEC. 9003. CONDUCT OF FOREIGN RELATIONS. (a) RELEASE OF PRISONERS.—The Secretary of State, in all official meetings with the Government of the People's Republic of China, should request the immediate and unconditional release of Ngodrup Phuntsog and other prisoners of conscience in Tibet, as well as in the People's Republic of China.

(b) ACCESS TO PRISONS.—The Secretary of State should seek access for international humanitarian organizations to Drapchi prison and other prisons in Tibet, as well as in the People's Republic of China, to ensure that prisoners are not being mistreated and are receiving necessary medical treatment.

(c) DIALOGUE ON FUTURE OF TIBET.—The Secretary of State, in all official meetings with the Government of the People's Republic of China, should call on that country to begin serious discussions with the Dalai Lama or his representatives, without preconditions, on the future of Tibet.

SEC. 9004. AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL PERSONNEL AT DIPLOMATIC POSTS TO MONITOR HUMAN RIGHTS IN THE PEOPLE'S REPUBLIC OF CHINA. There are authorized to be appropriated to support personnel to monitor political repression in the People's Republic of China in the United States Embassies in Beijing and Kathmandu, as well as the American consulates in Guangzhou, Shanghai, Shenyang, Chengdu, and Hong Kong, \$2,200,000 for fiscal year 1999 and \$2,200,000 for fiscal year 2000.

SEC. 9005. DEMOCRACY BUILDING IN CHINA. (a) AUTHORIZATION OF APPROPRIATIONS FOR NED.—In addition to such sums as are otherwise authorized to be appropriated for the "National Endowment for Democracy" for fiscal years 1999 and 2000, there are authorized to be appropriated for the "National Endowment for Democracy" \$4,000,000 for fiscal year 1999 and \$4,000,000 for fiscal year 2000, which shall be

available to promote democracy, civil society, and the development of the rule of law in China.

(b) EAST ASIA-PACIFIC REGIONAL DEMOCRACY FUND.—The Secretary of State shall use funds available in the East Asia-Pacific Regional Democracy Fund to provide grants to nongovernmental organizations to promote democracy, civil society, and the development of the rule of law in China.

SEC. 9006. HUMAN RIGHTS IN CHINA. (a) REPORTS.—Not later than March 30, 1999, and each subsequent year thereafter, the Secretary of State shall submit to the International Relations Committee of the House of Representatives and the Foreign Relations Committee of the Senate an annual report on human rights in China, including religious persecution, the development of democratic institutions, and the rule of law. Reports shall provide information on each region of China.

(b) PRISONER INFORMATION REGISTRY.—The Secretary of State shall establish a Prisoner Information Registry for China which shall provide information on all political prisoners, prisoners of conscience, and prisoners of faith in China. Such information shall include the charges, judicial processes, administrative actions, use of forced labor, incidences of torture, length of imprisonment, physical and health conditions, and other matters related to the incarceration of such prisoners in China. The Secretary of State is authorized to make funds available to nongovernmental organizations presently engaged in monitoring activities regarding Chinese political prisoners to assist in the creation and maintenance of the registry.

SEC. 9007. SENSE OF CONGRESS CONCERNING ESTABLISHMENT OF A COMMISSION ON SECURITY AND COOPERATION IN ASIA. It is the sense of Congress that Congress, the President, and the Secretary of State should work with the governments of other countries to establish a Commission on Security and Cooperation in Asia which would be modeled after the Commission on Security and Cooperation in Europe.

SEC. 9008. SENSE OF CONGRESS REGARDING DEMOCRACY IN HONG KONG. It is the sense of Congress that the people of Hong Kong should continue to have the right and ability to freely elect their legislative representatives, and that the procedure for the conduct of the elections of the legislature of the Hong Kong Special Administrative Region should be determined by the people of Hong Kong through an election law convention, a referendum, or both.

SEC. 9009. SENSE OF CONGRESS RELATING TO ORGAN HARVESTING AND TRANSPLANTING IN THE PEOPLE'S REPUBLIC OF CHINA. It is the sense of Congress that—

(1) the Government of the People's Republic of China should stop the practice of harvesting and transplanting organs for profit from prisoners that it executes;

(2) the Government of the People's Republic of China should be strongly condemned for such organ harvesting and transplanting practice;

(3) the President should bar from entry into the United States any and all officials of the Government of the People's Republic of China known to be directly involved in such organ harvesting and transplanting practice;

(4) individuals determined to be participating in or otherwise facilitating the sale of such organs in the United States should be prosecuted to the fullest possible extent of the law; and

(5) the appropriate officials in the United States should interview individuals, including doctors, who may have knowledge of such organ harvesting and transplanting practice.

#### TITLE X

#### HUMAN RIGHTS IN CHINA

##### Subtitle A—Forced Abortions in China

SEC. 10001. This subtitle may be cited as the "Forced Abortion Condemnation Act".

SEC. 10002. Congress makes the following findings:

(1) Forced abortion was rightly denounced as a crime against humanity by the Nuremberg War Crimes Tribunal.

(2) For over 15 years there have been frequent and credible reports of forced abortion and forced sterilization in connection with the population control policies of the People's Republic of China. These reports indicate the following:

(A) Although it is the stated position of the politburo of the Chinese Communist Party that forced abortion and forced sterilization have no role in the population control program, in fact the Communist Chinese Government encourages both forced abortion and forced sterilization through a combination of strictly enforced birth quotas and immunity for local population control officials who engage in coercion. Officials acknowledge that there have been instances of forced abortions and sterilization, and no evidence has been made available to suggest that the perpetrators have been punished.

(B) People's Republic of China population control officials, in cooperation with employers and works unit officials, routinely monitor women's menstrual cycles and subject women who conceive without government authorization to extreme psychological pressure, to harsh economic sanctions, including unpayable fines and loss of employment, and often to physical force.

(C) Official sanctions for giving birth to unauthorized children include fines in amounts several times larger than the per capita annual incomes of residents of the People's Republic of China. In Fujian, for example, the average fine is estimated to be twice a family's gross annual income. Families which cannot pay the fine may be subject to confiscation and destruction of their homes and personal property.

(D) Especially harsh punishments have been inflicted on those whose resistance is motivated by religion. For example, according to a 1995 Amnesty International report, the Catholic inhabitants of 2 villages in Hebei Province were subjected to population control under the slogan "better to have more graves than one more child". Enforcement measures included torture, sexual abuse, and the detention of resisters' relatives as hostages.

(E) Forced abortions in Communist China often have taken place in the very late stages of pregnancy.

(F) Since 1994 forced abortion and sterilization have been used in Communist China not only to regulate the number of children, but also to eliminate those who are regarded as defective in accordance with the official eugenic policy known as the "Natal and Health Care Law".

SEC. 10003. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available for the Department of State for fiscal year 1999 to issue any visa to any official of any country (except the head of state, the head of government, and cabinet level ministers) who the Secretary finds, based on credible and specific information, has been directly involved in the establishment or enforcement of population control policies forcing a woman to undergo an abortion against her free choice, or forcing a man or woman to undergo sterilization against his or her free choice or policies condoning the practice of genital mutilation.

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibition in subsection (a) or (b) if the President—

(1) determines that it is in the national interest of the United States to do so; and



(2) provides written notification to Congress containing a justification for the waiver.

*Subtitle B—Freedom on Religion in China*

SEC. 10011. (a) It is the sense of Congress that the President should make freedom of religion one of the major objectives of United States foreign policy with respect to China.

(b) As part of this policy, the Department of State should raise in every relevant bilateral and multilateral forum the issue of individuals imprisoned, detained, confined, or otherwise harassed by the Chinese Government on religious grounds.

(c) In its communications with the Chinese Government, the Department of State should provide specific names of individuals of concern and request a complete and timely response from the Chinese Government regarding the individuals' whereabouts and condition, the charges against them, and sentence imposed.

(d) The goal of these official communications should be the expeditious release of all religious prisoners in China and Tibet and the end of the Chinese Government's policy and practice of harassing and repressing religious believers.

SEC. 10012. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available for the Department of State for fiscal year 1999 to issue a visa to any official of any country (except the head of state, the head of government, and cabinet level ministers) who the Secretary of State finds, based on credible and specific information, has been directly involved in the establishment or enforcement of policies or practices designed to restrict religious freedom.

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibition in subsection (a) or (b) with respect to an individual described in such subsection if the President—

(1) determines that it is vital to the national interest to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

SEC. 10013. In this subtitle, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

This Act may be cited as the "Department of Defense Appropriations Act, 1999".

**DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 1999**

The PRESIDING OFFICER. Pursuant to the order of July 22, 1998, the Senate having received H.R. 4276, the terms of that order are hereby executed.

(Under the previous order, the Senate proceeded to consider the bill (H.R. 4276), all after the enacting clause was stricken and the text of S. 2260, as passed, was inserted in lieu thereof; the House bill, as amended, was read for a third time and passed; the motion to reconsider was laid on the table; the Senate insisted on its amendment, requested a conference with the House, and the Chair appointed conferees on the part of the Senate; the passage of

the Senate bill was vitiated and the bill indefinitely postponed.)

**REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 105-58**

Mr. HAGEL. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on August 31, 1998, by the President of the United States:

Treaty with Guatemala for Return of Stolen, Robbed, Embezzled or Appropriated Vehicles and Aircraft (Treaty Document 105-58);

I further ask that the treaty be considered as having been read for the first time; that it be referred, with accompanying papers to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Guatemala for the Return of Stolen, Robbed, Embezzled or Appropriated Vehicles and Aircraft, with Annexes and a related exchange of notes, signed at Guatemala City on October 6, 1997. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of stolen vehicle treaties being negotiated by the United States in order to eliminate the difficulties faced by owners of vehicles that have been stolen and transported across international borders. It is the first of these newly negotiated treaties to provide for the return of stolen aircraft as well as vehicles. When it enters into force, it will be an effective tool to facilitate the return of U.S. vehicles and aircraft that have been stolen, robbed, embezzled, or appropriated and taken to Guatemala.

I recommend that the Senate give early and favorable consideration to the Treaty, with Annexes and a related exchange of notes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, August 31, 1998.

**REFERRAL OF H.R. 1502**

Mr. HAGEL. Madam President, I ask unanimous consent that H.R. 1502 be discharged from the Committee on Governmental Affairs and referred to the Committee on Environment and Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

**APPOINTMENT BY THE DEMOCRATIC LEADER**

The PRESIDING OFFICER. The Chair announces the following appointment made by the Democratic Leader during the August recess.

Pursuant to provisions of Public Law 103-227, the appointment of Barbara Kairson, of New York, as the Representative of Labor to the National Skill Standards Board, effective August 13, 1998.

**MEASURE READ THE FIRST TIME—H.R. 2183**

Mr. HAGEL. Madam President, I understand that H.R. 2183, which was just received from the House, is at the desk, and I now ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes.

Mr. HAGEL. Madam President, I now ask for its second reading, and object to my own request on behalf of my colleagues.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

**ORDERS FOR TUESDAY, SEPTEMBER 1, 1998**

Mr. HAGEL. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Tuesday, September 1. I further ask that when the Senate reconvenes on Tuesday, it begin consideration of the military construction appropriations conference report under the consent agreement of July 31.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAGEL. Madam President, I further ask consent that the Senate stand in recess from 12:30 until 2:15 tomorrow, to allow the weekly party caucuses to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PROGRAM**

Mr. HAGEL. For the information of all Senators, when the Senate reconvenes on Tuesday at 9:30 a.m., there will be an immediate rollcall vote on adoption of the military construction appropriations conference report. Following that vote, the Senate will begin consideration of S. 2334, the foreign operations appropriations bill. Members

are encouraged to offer and debate amendments to the foreign operations bill so that substantial progress can be made on this important piece of legislation during Tuesday's session. Also on Tuesday, the Senate may consider the Texas compact conference report on a 4-hour time agreement, and any other legislative or executive items that may be cleared for action.

RECESS UNTIL 9:30 A.M.  
TOMORROW

Mr. HAGEL. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 3:59 p.m., recessed until Tuesday, September 1, 1998, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate August 31, 1998:

DEPARTMENT OF TRANSPORTATION

PETER J. BASSO, JR., OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE LOUISE FRANKEL STOLL, RESIGNED.

THE JUDICIARY

H. DEAN BUTTRAM, JR., OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA VICE ROBERT B. PROPST, RETIRED.  
INGE PRYTZ JOHNSON, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA VICE JAMES H. HANCOCK, RETIRED.



## EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 1, 1998, may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## SEPTEMBER 2

9:30 a.m.

## Labor and Human Resources

To hold hearings on the nomination of Jane E. Henney, of New Mexico, to be Commissioner of Food and Drugs, Department of Health and Human Services.

SD-430

11:00 a.m.

## Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings to examine activities of the National Constitution Center.

SD-138

2:30 p.m.

## Select on Intelligence

To hold closed hearings on intelligence matters.

SH-219

## SEPTEMBER 3

10:00 a.m.

## Armed Services

## Strategic Forces Subcommittee

To hold hearings to examine Department of Energy low level radioactive waste disposal practices.

SR-222

## Finance

To hold hearings on proposed legislation authorizing funds for the United States Customs Service; to be followed by hearings on the nomination of Susan G. Esserman, of Maryland, to be Deputy United States Trade Representative, with the rank of Ambassador.

SD-215

## Governmental Affairs

To hold hearings on the nominations of Patricia A. Broderick, Neal E. Kravitz, and Natalia Combs Greene, each to be an Associate Judge of the Superior Court of the District of Columbia.

SD-342

2:00 p.m.

## Judiciary

Technology, Terrorism, and Government Information Subcommittee

To hold hearings to examine United States counter-terrorism policy.

SD-226

2:30 p.m.

## Appropriations

Business meeting, to mark up proposed legislation making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1999.

SD-106

## SEPTEMBER 9

9:30 a.m.

## Commerce, Science, and Transportation

To resume hearings on S. 625, to provide for competition between forms of motor vehicle insurance, to permit an owner of a motor vehicle to choose the most appropriate form of insurance for that person, to guarantee affordable premiums, and to provide for more adequate and timely compensation for accident victims.

SR-253

2:30 p.m.

Commerce, Science, and Transportation Aviation Subcommittee

To hold hearings to examine enforcement activities of the Federal Aviation Administration.

SR-253

## SEPTEMBER 10

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To hold hearings on S. 2365, to promote competition and privatization in satellite communications.

SR-253

## Governmental Affairs

Permanent Subcommittee on Investigations

To resume hearings to examine the safety of food imports, focusing on certain fraud and deceptive techniques used by individuals to import food products illegally into the United States.

SD-342

## Special on Aging

To hold hearings to examine how to strengthen and increase programs for family caregivers.

SD-628

Special on Special Committee on the Year 2000 Technology Problem

To hold hearings to examine the Year 2000 computer conversion as related to the transportation industry.

SD-192

10:00 a.m.

## Foreign Relations

To hold hearings on the World Intellectual Property Organization Copyright Treaty and the World Intellectual Property Organization Performances and Phonograms Treaty, done at Geneva on December 20, 1996, and signed by the United States on April 12, 1997.

SD-419

## SEPTEMBER 15

10:00 a.m.

## Commerce, Science, and Transportation

To hold hearings on the nominations of Robert Clarke Brown, of Ohio, John Paul Hammerschmidt, of Arkansas, and Norman Y. Mineta, of California, each to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority.

SR-253

## Foreign Relations

To hold hearings on certain extradition and mutual legal assistance treaties.

SD-419

## SEPTEMBER 16

9:30 a.m.

## Commerce, Science, and Transportation

Surface Transportation and Merchant Marine Subcommittee

To hold hearings to examine the extent of fatigue of transportation operators in the trucking and rail industries.

SR-253

## SEPTEMBER 17

9:30 a.m.

## Commerce, Science, and Transportation

To hold hearings to examine the impact of United States satellite technology transfer to China.

SR-253

## SEPTEMBER 22

9:30 a.m.

## Commerce, Science, and Transportation

To hold hearings on the nominations of Sylvia De Leon, of Texas, Linwood Holton, of Virginia, and Amy M. Rosen, of New Jersey, each to be a Member of the Reform Board (AMTRAK).

SR-253

## SEPTEMBER 23

9:30 a.m.

## Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

SR-253

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

August 31, 1998

EXTENSIONS OF REMARKS

19289

SEPTEMBER 24

SEPTEMBER 25

OCTOBER 6

9:30 a.m.

9:30 a.m.

9:30 a.m.

Governmental Affairs

Governmental Affairs

Veterans' Affairs

Permanent Subcommittee on Investigations

Permanent Subcommittee on Investigations

To hold joint hearings with the House Committee on Veterans Affairs on the legislative recommendations of the American Legion.

To resume hearings to examine the safety of food imports, focusing on legislative, administrative and regulatory remedies.

To continue hearings to examine the safety of food imports, focusing on legislative, administrative and regulatory remedies.

345 Cannon Building

SD-342

SD-342